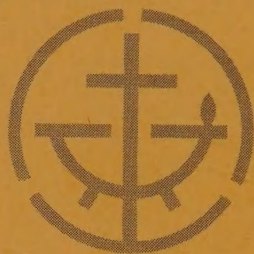


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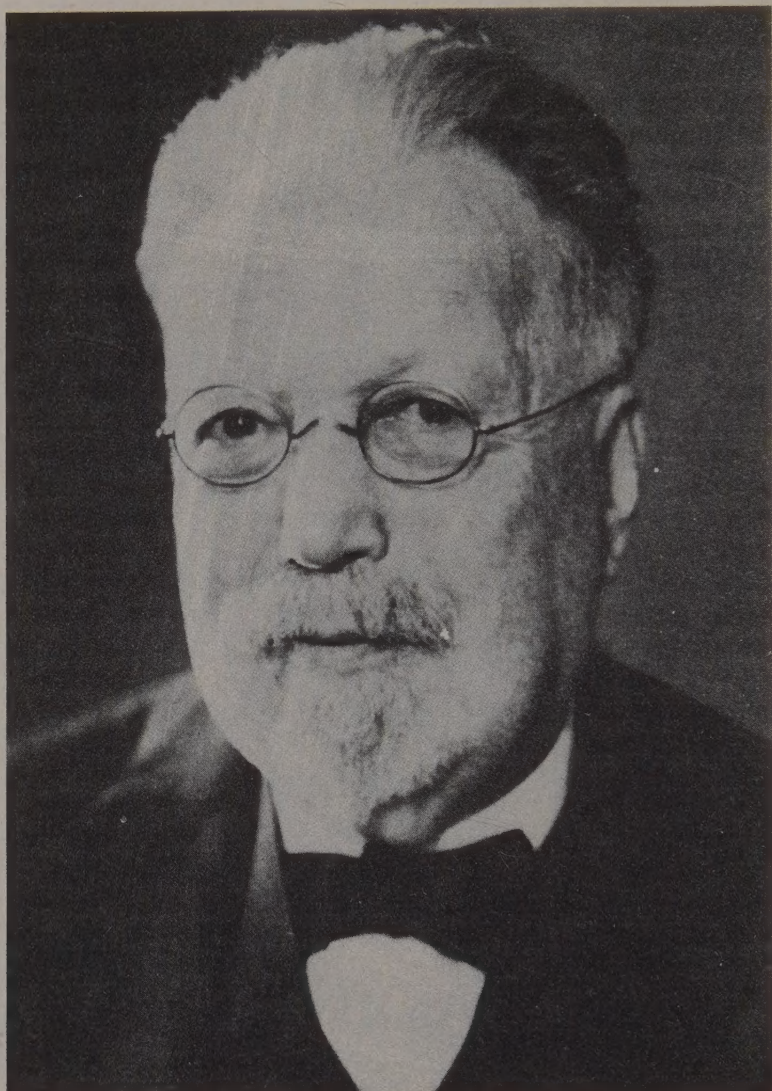
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SOCIAL THINKING IN THE *SEFER HASIDIM*

ABRAHAM CRONBACH, Hebrew Union College

THE *Sefer Hasidim* has been published in two different texts. The one text was printed, for the first time, at Bologna in 1538.¹ The other, that of a thirteenth century manuscript preserved at Parma, was printed, for the first time, in 1891 by Jehuda Wistinetzki.² We shall refer to these respectively as the Bologna text and the Parma text.

The two texts, while containing much in common, often exhibit striking differences, particularly in the succession — frequently also in the content — of the paragraphs. Sometimes the Bologna paragraph coincides only in part with the corresponding Parma paragraph. Much of the material bearing on social problems appears in the Parma text only. Some tiny fragments of it appear in the Bologna text only.

Our translation, beginning on page 46, of the passages embodying material of social import will adhere to the Parma sequence, but we shall indicate the corresponding Bologna number wherever a Bologna counterpart exists. In an appendix, we shall list the numbers according to the Bologna sequence and shall indicate the counterparts in the manuscript from Parma.

¹ Jacob Freiman's introduction to the second edition (1924) of the *Sefer Hasidim* according to the Parma manuscript first published in 1891 by Jehuda Wistinetzki, p. 9. Freiman (Introduction p. 9) regards the Parma text as the older. Abraham Epstein regards the Parma text as superior in the sense of older and less burdened with later additions ("R. Samuel *Hehasid* bar Kalonymos *Hazaken*," in *Hagoren*, IV (1903) p. 92). Guedemann pronounces the Parma text inferior, but his judgment is based on excerpts from the unpublished manuscript (*Geschichte des Erziehungswesen und der Cultur der Juden*, Vienna, 1880, I, p. 290). The view has been expressed that the Bologna text represents an excerpting and condensation of the Parma text.

² *Das Buch der Frommen nach der Rezension in Cod. de Rossi No. 1133, zum ersten Male herausgegeben und mit Anmerkungen versehen* von Jehuda Wistinetzki, Berlin 1891.

We shall also note, in this appendix, the divergences between the Bologna *editio princeps* and the subsequent editions of the same text. Of the 1178 paragraphs constituting the *editio princeps*, not more than 1172 or 1173 appear in later printings.³ The result is that, beyond paragraph 726 of the Bologna text, the enumerations of the 1538 edition differ from those of the editions which came afterward. For purposes of reference, we shall use the later numberings.

The name associated with the *Sefer Ḥasidim* is that of Judah ben Samuel of Ratisbon (died 1217). Judah ben Samuel, usually called Judah *He-Ḥasid*, did not produce either text of the *Sefer Ḥasidim* in its entirety. The *Sefer Ḥasidim*, whatever the form, is a composite representing several authors,⁴ among them, the father of Judah *He-Ḥasid*, Samuel *He-Ḥasid* (born 1115), also the pupil of Judah *He-Ḥasid*, Eleazar of Worms (1176–1238),⁵ as well as Judah *He-Ḥasid* himself.⁶ The several authors are reported to have lived in the Rhenish districts of Germany.⁷ The *Sefer Ḥasidim* thus incorporates German Jewish thinking of the twelfth and thirteenth centuries. When we study the social ideas of the *Sefer Ḥasidim*, we accordingly survey Jewish social attitudes as they prevailed during the twelfth and the thirteenth centuries in that part of Europe.

Students of the *Sefer Ḥasidim* have long recognized that this literature sits closeted in no ivory tower. Much of it is "of earth, earthy." To an unusual degree, it reflects the actualities of the world about it.⁸ It speaks of buying and selling, of loans and investments, of prices and rentals, of profit and loss. It vouchsafes glimpses into the practical devices of community manage-

³ Freimann, *op. cit.*, p. 10, imputes this to censorship.

⁴ Guedemann, *op. cit.* p. 289. Epstein, *op. cit.* p. 93.

⁵ Freimann, *op. cit.* pp. 13, 14.

⁶ The view favored by Graetz (*Geschichte* VI, 214) identifying Judah *He-Ḥasid* with Judah Sir Leon ben Isaac *He-Ḥasid* of Paris (1166–1224) is not generally accepted. An authoritative discussion of this in Guedemann, *op. cit.* I, 288.

⁷ Freimann, *op. cit.* p. 15.

⁸ Guedemann, *op. cit.* p. 178. Isaac Baer, "Hammegammah Hadatit shel 'Sefer Ḥasidim,'" in *Ziyyon* Vol. 3 (1937–1938), p. 50.

ment — the assembly for fund raising, the communal subsidizing of private entertainment for wayfarers, the imposition of levies calling for a definite percentage of the contributor's means, the enforcement of the levy by threat of excommunication, the expectation that, when contributions are needed for ransoming a prisoner, the prisoner's relatives shall contribute an extra portion. It records the practice of bequeathing, to charity, investments the proceeds of which, entirely or in part, the investor retains for his own use during his lifetime. It has much to say about the private circulation of books; shall we call it the mediaeval prefiguration of our modern public libraries? Nor does the *Sefer Hasidim* shrink from exposing much that was mean and petty, prosaic and humdrum. It tells of quarrels and schisms, of vices and jealousies. It knows of deadbeats, malingerers, and imposters, of irresponsible poor folk and of grasping rich folk, of dictatorial community bosses and of oppressive employers, of pledgers who fail to pay, of guests who outstay their welcome, and of crabbed hosts. The notion that all mediaeval Jews were saints hardly finds validation in the *Sefer Hasidim*.⁹

I. SOCIAL JUSTICE

The social thinking of the *Sefer Hasidim*, like that of other post-biblical Hebrew writings prior to modern times, ranges chiefly in the domain of benevolence. Those attitudes and proposals to which we of today allude when we speak of social justice receive, in this literature, but secondary attention.

A. Charging Interest

Secondary means, of course, not absent entirely. In the *Sefer Hasidim*, we note, among other things, protests against the charging of interest. These protests are, by and large, oriented socially as in the Bible¹⁰ and in the Midrash¹¹ rather than

⁹ The historical background is surveyed by Isaac Baer who discerns Christian influences. Isaac Baer, *op. cit.*

¹⁰ Ex. 22.24, Lev. 25.35, 36, 37, Ezek. 18.17, Prov. 28.8.

¹¹ Ex. Rab. XXXI, 2, 3, 4, 6, 10, 13, 15, 16, 19.

legalistically as in parts of Baba Mezi'a¹² where casuistic niceties seem to obscure the more humane considerations.

The *Sefer Hasidim* maintains that interest charging is not to be likened to the perfectly legitimate profit reaped in trade (1958). The latter involves some effort on the part of the one who profits, while the former schemes to gain something without exertion. The *Sefer Hasidim* holds that, under the system of interest charging, the creditor may increase the rate of interest at will, with the consequence that the impoverished borrower or prospective borrower is driven to theft (1690, 1958). Stealing and robbing come to be regarded as the lesser evil (1958).

Interest is illicit not only when imposed by the creditor (848) but even when willingly conceded by the debtor (848, 1958). In one of the paragraphs, interest charging is linked with the surliness by which a man begrudges people any business advantage that he might be in a position to confer (1233-1075). It is also associated with coin clipping and other forms of crookedness (1233-1076). Beyond what is needed for one's livelihood, one is forbidden to lend on interest even to a Gentile (808, 1958). Yes, even assuming the permissibility of taking interest from a Gentile, one should still, in the event of a choice, lend to a Jew without interest sooner than to a Gentile for payment of interest (1958). It may happen that one charges interest and subsequently makes restitution to the person injured (1250). That restitution may not be accepted by the person injured unless the money be indispensable for the paying of some debt (1250).

In the eyes of God, the charging of interest is as abominable as the hiring of a harlot (1958). The penalty of interest charging is poverty (1950), also the impoverishment of one's children and the dispersion of one's children and reverses even for the friends of one's children (1233-1076). In the resurrection, the charger of interest will not arise (808).

Nor does it make interest charging less obnoxious if the proceeds are devoted to charity or to the fulfilment of vows

¹² B. M. 67B to 75A. For this reason, we have omitted, from this study paragraph 1423 of the *Sefer Hasidim* (Parma). This paragraph falls outside of the "social" in our present implication of that term.

(808, 1958). The borrower also may have uttered vows, but the need of paying interest leaves him without means of fulfilment (1958).

B. *Treatment of One's Workers*

Sentiments regarding kindness and fairness toward servants come to frequent expression. The master is an ingrate if he disparages the work of a servant who has carried out his wishes (137); and, of all evil qualities, ingratitude is the worst.¹³ Also reproved is the needless upbraiding of servants and invidious comparisons with other servants by lauding other servants as being more diligent (1497).

On one's employees, there must be imposed no superfluous hardship or trouble (138, 1232). Demands upon the worker should not exceed the worker's strength (1232); at the hiring of a worker, more should not be stipulated than the worker is able to perform (1232). One must not require the tutor of one's children to begin work earlier or to continue work later than is the local custom (1497). Due punishment impends for such remissness. Workers must be enabled to get home, before dark, from dangerous places or to arrive home before nightfall on the Sabbath Eve (138). Stern disparagement is voiced for a Jewish employer who kept his workers at their tasks on Fridays until the evening service had well begun (1499). Contrasted is the Gentile employer who permitted his workers to cease work every day before dark and, on the Sabbath Eve, an entire hour before dark (1499).

Special consideration and relief from burdens should be accorded the maid-servant who approaches childbirth (139). With approval, Samuel (Nid. 47A/38-40) is mentioned who compensated a maid-servant for the shame he caused her by inspecting her person (137). Putting to shame any servant whatsoever is forbidden (137). And a devoted slave should never be sold to a person of harsh disposition (141).

¹³ On ingratitude, 35, 137, 853, 1718, and, outside of the "social" domain, 146-185.

Extreme conscientiousness is expected with regard to the worker's wage (1215). Tampering with the worker's remuneration is of one piece with such iniquities as the purchase of stolen goods, traffic in the appurtenances of idolatry,¹⁴ or flouting the decrees of the community (1233-1078). Loss will overtake all money thus acquired. To accept such money is villainous. An employer may not withhold a worker's pay in order to recover a debt (1208). Just as the charitable use of money obtained by charging interest does not diminish the sinfulness of charging interest (808), so is it if someone prevails upon a landowner to reduce a field laborer's share of the produce and to give the difference to charity (866). Charitable use never cleanses money gotten by unholy means (15). Also stressed is promptness of wage payment as ordained in Lev. 19.13 (1211). A certain saint was so punctilious about that rule that, when he felt the need of circumventing it, he resorted to a legal device for so doing (1211).

One of the ways in which the head of a community may tyrannize is that of exercising his prestige to prevent others from hiring those whom he himself hires (1346). He thus compels his workers to remain in his employ at a wage lower than they might otherwise earn (1346). The punishment in store for such a one is that, among his progeny, there will never be any excellent people.

Nor is the *Sefer Hasidim* oblivious to the bane of unemployment. The providing of employment is a significant form of benevolence (884). To jeopardize a person's tenure of a job is an evil act (866). This might happen to the job of a field laborer if someone (no doubt well meaning) importunes the employer to increase the field laborer's share of the produce (866). When engaging a worker, one should grant preference to the one who is incapable of performing work of any other kind, in view of the fact that, for one who does possess such capability, employment is obtainable elsewhere (1210).

Occasionally we come upon directions concerned with the

¹⁴ Does the author perhaps mean Christian crucifixes, chalices, sacerdotal vestments and the like?

interests of the employer. For example, one who is engaged to teach children must not conduct his tutelage in a place where the children will be disturbed by people's coming and going (830). Nor should the teacher, in his off-hours, occupy himself in such wise as to miss the rest he needs if he is not to fall asleep during instruction (830, 1496). For the compensation he receives, the teacher is expected to render efficient service.¹⁵ Again, keeping the rights of the employer in mind, one should not pay visits at such times and places as to draw a busy employee into conversation, thus slackening or interrupting his work (831). When our text recommends that preference at hiring be accorded the less muscular but more virtuous worker over the more muscular but less virtuous (832) and that no worker be employed who gazes at and needlessly talks with women (1500), the *Sefer Hasidim* contemplates matters of still wider public moment.

C. Other Phases of Social Justice

There are vestiges of the biblical compunction about restoring the pledge (917). Our text echoes the teaching of Exod. Rab. XXXI, 7 that it does not suffice to restore the pledged garment at nightfall. It is equally imperative to restore, at daybreak, the pledged tool which the pledger will need at his work (917). Cognate to this is the ruling already mentioned (*supra* p. 6) that the employer may not, in order to recover a debt, withhold the worker's wage (1208).¹⁶

It is deemed improper for the owner of real estate to charge a rental for the use of a courtyard by some poor but worthy person, if the owner does not need the yard and if the occupant causes no damage (1710). By such rent-free concession, the owner acquires merit. Also recommended is rent-free use of rooms in

¹⁵ We shall presently observe (*infra* p. 38) a similar demand for efficient service when a necessitous copyist is benevolently paid more than the prevailing rate (887).

¹⁶ This provision has already been mentioned (*supra* p. 6). Such repetitions will be frequent in this study and inevitable, inasmuch as one and the same statement can illustrate more than one point. On page 44 we have provided a table indicating where each paragraph cited recurs in this article.

one's house if the applicant be a person of praiseworthy character (1899).

Disparagement is voiced for speculating in produce and becoming so situated that one rejoices at the high prices which are ruinous to the purchaser (478, 1708). The individual is commended who, in a time of scarcity, sold produce to the poor at cost — even giving some of it away to the poor — and who would, when prices were high, lend the poor people produce subject to return, at a later period, when prices had come down (1709). By contrast, those rich people are scored who, to bolster prices, would debar importations from other towns and who, to stifle such importation, would call for import taxes (478).

Censure is visited upon a wealthy person who, for his business ventures, borrows from a poor person — presumably without any sharing of the profit (1245). Such an act, while not in a literal sense robbery, rates as worse than robbery (1245).¹⁷ Something of the Naboth motif appears in the reference to a wealthy man who covets a piece of property which a poor man is obliged to sell (1422). A sage counsels a third party not to purchase that property on the grounds that the unscrupulous man of wealth might acquire it in the end by applying the "evil eye." That "evil eye" appears to have caused the original owner's impoverishment (1422).

Rebuke is poured upon a certain well circumstanced individual who, in a certain emergency, failed to raise his voice against oppression (1347). When, by a turn of fortune, this man became himself oppressed, his fellow Jews properly denied him sympathy and assistance. The statement occurs that an oppressed person may interrupt public worship in order to demand redress, if the community lacks the conscience to guarantee amends in any other way (1347). The story is told of a community leader who, instead of denouncing a certain powerful individual who had flouted a communal decree, fawned upon that individual (1714). Needy relatives had misled that community leader into that unworthy stand. Those relatives had besought him

¹⁷ There are, in the paragraphs which we are using, seventeen references to "robbery" in this sense, among them, 864, 867, 898, 912, 1713 etc.

not to offend the powerful recalcitrant, because they had been living off of that insolent one's bounty. But the community leader's cravenness brought those relatives no benefit. The law-defying mogul discontinued his pensions anyhow. The community leader could say to his erring kinfolk: "Due to your iniquity in making me cringe before him, you forfeited your sustenance and, in addition, you caused me to desecrate the name of God" (1714).

D. Causes of Poverty

From B. B. 146A/1, 2, our text quotes the passage that, even on Sabbaths and holidays, the poor undergo suffering (620). Their change of regimen causes suffering. Although our text is cognizant of righteous people who lost their means (1209, 1422) or who never possessed any means (1950),¹⁸ it nonetheless adheres to the biblical and talmudic doctrine that poverty constitutes a punishment for sin (1950).¹⁹ An individual's poverty may be due to his having rejoiced at another's downfall (1950). Or it may stem from his failure to pray for someone for whom he should have prayed (1950). Some people are poor owing to the derelictions of their forebears (1950), all wealth wickedly achieved and bequeathed being doomed to destruction (1233-1076, 1950). Sometimes poverty ensues as retribution for charging interest (1233-1075-1076, 1950) or for failure to protest against someone's wrongdoing or for abetting or enjoying someone's evil deeds or for neglect to bestow upon someone a gift which should have been bestowed in accordance with some Heavenly directive (1950). Poverty may also result from arrogant talk or from contemptuous demands that the poor go to

¹⁸ Examples would be Ḥanina ben Dosa and Simeon ben Yoḥai (*infra* p. 140). Poverty, like wealth (237-216 which we are not using in the present study), can be a Divine tactic for contriving certain marriage alliances (1950). The thought is also in 634 unused in this study.

¹⁹ The biblical doctrine has been treated in our *Bible and our Social Outlook*, Cincinnati, 1941, pp. 18, 19. Talmudic examples are Suk. 29AB, Ket. 66B, 67A. A search disclosed no fewer than 61 additional passages, in Talmud and Midrash, construing poverty as a punishment for sin.

work (1950).²⁰ Again, it can penalize one's act of succoring the unworthy poor while speaking disdainfully of the worthy poor (1950). Or it can be the Divinely ordained lot of someone who, if he did possess means, would have failed to use them nobly (1950). Otherwise the cause of poverty may lie in the occult potencies of the stars (1950). The "evil eye" also can be a factor (1422); likewise, perhaps, that Divine prearrangement which determines one's occupation and the moral caliber of one's occupation (1692).

II. CHARITY

The greater part of the social thinking in the *Sefer Ḥasidim* embraces concerns for which our modern rubric would be not "social justice" but "benevolence." Occasionally, the *Sefer Ḥasidim* uses, instead of the dominant term, *Ṣedaqah*, the cognate expression, *Gemilut Ḥasadim* which we translate "kindness." Ingeniously our text points out that the letter *ḥ* occurs not so much as once in Lev. chapters 1 and 3, but that it occurs in chapter 2 (vv. 14, 16) and in chapter 4. The letter *ḥ* is the initial and therefore the symbol of *Gemilut Ḥasadim* (899). Kindliness, according to our text, is absent from Lev. chapter 1, with its burnt offerings which are entirely incinerated. It is also missing from chapter 3, with its peace offerings of which the fat is incinerated and the remainder consumed by the lay person who brings the animal. By contrast, the meal offering of chapter 2 and the sin offering of chapter 4 allow the priests certain gifts.²¹ The meal offering further suggests the woman in Ta'an. 23B/28, 29 whose prayers for rain were more efficacious than those of her saintly husband, because the woman supplied the needy with food while her husband, away from home, gave nothing better than coins. Kindliness is also bracketed with such supreme

²⁰ The thought resembles that in Lev. Rab. XXXIV, 4, 7.

²¹ The priest also receives something of the burnt offering (Lev. 7.8) and something of the peace offering (Lev. 7.31, 32). The unique feature of the meal offering and the sin offering is not that something goes to the priests but that nothing goes to the participant lay person.

virtues as learning and reverence (2-156), although our text contains a passage which sanctions a man's suspension of his studies long enough to be of kindly service to a widow (1487).

A. *The Significance of Zedakah*

As in other Jewish writings, charity is tremendously extolled (33) and is understood to procure enormous rewards. Wealth is construed as something Divinely entrusted to its possessor for distribution among the poor (1345). Through charity one shows oneself to be a servant of the Almighty (61). Such is the momentousness of charity that the building of a hostel for the needy takes precedence over the building of a synagogue (1529). In bequeathing one's property, one should allot the larger share to the son who is likely to prove the most benevolent (1703).

From Yer. Sab. VI, 9 is quoted the story of the two young men who were destined to die, on a given day, in the forest whither they had gone to chop wood (900-326). They escaped their foreordained doom because they shared, with a famished old man, their one and only fig cake (900-326). This, according to the *Sefer Ḥasidim*, proves that one should always give alms before starting on a journey (900-1056). The individual is mentioned who, subscribing to Abot V, 21, "According to the vexation, the reward," expected the reward to be heightened by the vexatiousness of contributing a lump sum instead of paying in a series of easy instalments (1717).

Charity is an accessory of repentance (112, 127, 630). Assured to the charitable is entrance into Paradise where, for the enjoyment of those who performed them on earth, charitable deeds are Divinely garnered up, yes, Divinely caused to grow (879). The charitable will live in the resurrection (880). They will look upon the face of the Shekinah (880). Whatever one gives to charity makes for the ransoming of one's soul (61). Even small gifts are acceptable if the giver's means are limited (61, 879). A small gift requiring great sacrifice can rank Divinely higher than a larger gift involving less sacrifice (879).

Charity procures immunity to the *Ḥibbuṣ Haḳeber*, the scourging of one's grave by demons, and this obtains though

one dwell outside of Palestine (32). Charity also assures exemption from Gehenna (273, 880). The dead can be benefited by acts of charity on the part of the living, particularly if those acts have been requested by the deceased during their lifetime (273). This applies, of course, only to the dead who have some merits of their own. If, while on earth, the deceased were utterly devoid of merits, no act on the part of the survivors can be of any avail (34, 35, 273, 880, 881).

B. *Defective Charity*

Derelictions as to charity are numerous. One consists in bestowing on other objects the precedence which belongs to charity alone. An example would be the raising of ornamental birds when the money should go to aiding the poor (861). David was denied the privilege of erecting the Temple (1529). Why? Because he was remiss in helping the needy. The reference is to Yalk. on I Ki., No. 166, which charges that David expended, on material for the sanctuary, wealth which should have gone to relieve the starving (1529). Cognate are the quotations from Yer. Shek. 49B/26-28 and Yer. Peah 21B/57-59 which condemn the building of synagogues, schoolhouses, and decorative gates for the academy, with riches which might have nurtured impoverished scholars (862, 1707).

There is the person who gives grudgingly and unwillingly (841, 842), also the domineering person who, while vociferously and dictatorially pressing others to give, contrives to evade his own duty to give (911), as well as the person who defaults in his obligations to his relatives (888). Likewise there were those who, on a certain occasion, walked out of a fund raising assembly imagining, falsely enough, that the communal decree to render charity was inapplicable to persons not present (1713). When questioned, those bolters resorted to chicanery: "In our opinion, it would have been fine of you to exact ten pence for every pound of each contributor's resources, so that the amount raised might be abundant." That demand was flagrantly insincere and impossible, only a smokescreen for dodging participation in the less pretentious yet more feasible plan actually adopted (1713).

There is the man who donates an object to benevolence and then raises a howl of protest when the administrator sells it to the highest bidder because, forsooth, the donor and the bidder happen to be at odds. Says the donor to the administrator: "I can not endure that the object which I entrusted to thee shall be owned by that man" (922).

Sometimes a man pledges when conditions demand not pledging but immediate giving (917). The pledger hears himself blessed in a sonorous voice by the precentor, followed by the congregation's loud "Amen." The poor, meanwhile starving and freezing, could have been reached with those alms at once (917). If worthy poor are absent from one's own city, one's beneficence can be extended to those of another city (898, 1697).

There was the individual who pledged but could not be depended on to pay his pledge (1679). A wise man had to order him to hand over the sum immediately to the poor or to the overseer of the poor. There is also the man who pledges a sum and then wishes to use it in his business until he finds poor persons who are sufficiently deserving. Should his business venture turn out profitable, the arrival of any poor person, no matter how worthy, would but evoke the remark: "I prefer to wait for poor people who are still worthier" (1679). Ta'an. 8B/46 is quoted with reference to those who pledge and then ignore their pledge (916). Little different is he who borrows money with which to do charity and then proves dilatory when the debt has to be discharged (923). His phrase is: "I shall pay thee as soon as I make some profit in business" (923).

There is the person who delays with paying his pledge until he himself becomes poor, whereupon he seeks to be designated the recipient of his own gift (1680). There is also the man who pledges to charity the sum which, having been loaned by him to someone, amounts to a precarious unpaid account (1686). Likewise there is the charity performed with ill-gotten gain (15, 808, 866, 1396).²² To these we must add the moneybags who never gives at all (1345).

²² This includes money recovered by litigation which involves the taking of an oath (1396). On the questionable ethics of oath taking, see *infra*, note 119.

The *Sefer Ḥasidim* also manifests concern about motives. There are times when the aim which inspires the giving of alms may be that of deterring the recipient from theft (1690, 1958) or from other improper conduct (893, 1704), even from murder (857). But sometimes giving is prompted by such unexalted incentives as ostentation (79, 851, 913, 917), self-aggrandizement (851), mere shame (845, 848, 867, 871) and the fear of what people might think (846). The *Sefer Ḥasidim* enables us to ponder an impressive contrast: on the one hand, the saint who, renouncing social honors, would yield them to those who could signalize great occasions with richer gifts to the poor (587) and, on the other hand, those vainglorious graspers after communal distinctions, those trouble-makers whose obtrusiveness had to be endured for the sake of their munificence (1592, 1593).

C. Counteracting the Evils

Various measures are recommended for coping with such obstacles. One is the requirement that the poor themselves be called upon to contribute their share of a levy (61, 914, 915). Were the poor exempted, so many people would claim to be "poor" as to render community projects impossible (914). Sometimes a son or a wife may do the giving in place of an unresponsive father or husband (844). With this in view, a son may ask his father for an increased allowance. What the son thus receives belongs to the son to do with as he pleases (844). It is similar with a wife to whom a husband allots money with the understanding that she may use it as she fancies. Money stolen by a son or a wife may not, of course, be accepted (1715). If the husband forbids the wife to contribute and threatens her with chastisement for so doing, the wife's contribution is permissible only when there is a levy under a communal decree whose violation is punishable by excommunication (1715). Abigail is cited as an example both of the uninhibited wife (844) and of the inhibited wife (1715).

The thought appears also in 1397-419 which falls outside of our present purview.

Sometimes one tenders a gift in behalf of the dead (35, 273, 357), a gift that is efficacious provided the deceased had some merit on his own account (34, 273, 881). Another controlling factor is the Divine punishment which is visited upon the wrongdoer (1345, 1713, 1953) and on his descendants (586, 913). For those who neglect to pay their pledge, drought is the Heaven-imposed retribution (916). If men are slow with their pledge paying, God will be slow with His rain. A further recourse lies in the aforementioned communal decrees enforceable by excommunication (911, 914, 915, 1233-1078, 1713, 1715), in the power of the Rabbis to heap public contumely upon recalcitrants (1712),²³ and in a form of duress achieved by locking the doors of the synagogue (1712).

There is the teaching that one who already possesses a substantial fireproof dwelling should, instead of rearing another, devote his means to well-doing (862). Finally there is the admonition that one who is without possessions or whose debts exceed what he intends to give should forbear to give (1216, 1229, 1926). He should avoid hiring copyists²⁴ and should forego donating candles, Succoth citrons, and the like to the synagogue (1229, 1698). Surely that person should abstain from pledging who holds in his possession naught except what belongs to someone else (1247).

D. *Regard for Sensibilities*

Meanwhile there abide the ancient Jewish ideals of regard for human sensibilities (886). Those deserving people who are "ashamed to accept charity" are entitled to special consideration (112, 630). How much one gives is less important than how one gives (15-591). Our text, like earlier texts, enjoins gracious giving and ready giving (842, 883), unmarred by reluctance, irrascibility (841), reproaches, revilings (851), and grudges (883).

²³ At the same time, the *Sefer Hasidim* records a case in which the Rabbis judged that the interests of charity would be better served by yielding to certain powerful individuals than by restraining them (1593).

²⁴ Nonetheless a man is commended for hiring copyists, paying them with money which he had begged to meet his own needs (1739-875).

The passage which declares it ungodly to sneer: "I will not give to one who is able to work and to toil" reminds us of Lev. Rab. XXXIV, 4, 7 (1950). There is also the old emphasis upon giving in secret (917), at least giving when no third party is present (1693).

From this standpoint, a loan is more desirable than a gratuity (1690). A borrower, if belittled for receiving aid, can always rejoin: "But I am going to pay back!" (1690). And the benefactor should, under all circumstances, speak of the sum in that manner (1691). On a certain occasion, when the supposed lender remarked: "Really I grant this as a gift," the poor borrower was so mortified that he never again sought help from that source. Should the creditor notice the poor debtor about to carry out his promise to sell some possession of his, if necessary, in order to liquidate the debt by a given time, the creditor shall urge the debtor not to act hastily (1688). The debtor must, by all means, be shielded against selling any possession at a loss (1688). The lender should, if necessary, cross the street in order to avoid meeting the poor borrower, when such meeting or the prospect of such meeting would harrow the borrower with anxiety and humiliation (901).

Another familiar device is that of furthering the interests of the poor person's business or occupation (884). One can aid a needy person by selling him some object at such a low price as to facilitate ready turnover and profit or by purchasing some object from him at a premium (1692) or by assisting him in his mercantile transactions or by collecting for him that which others owe him (889). If a poor person and a wealthy person compete for the purchase of something, the poor one, of course, should be favored with priority (885). For helping without humiliating, there is the further tactic of paying a scribe six coins to prepare a document when the regular price is four coins (887).²⁵ A certain man employed as copyist a relative whom he would compensate most generously for his work (886). To spare

²⁵ However, another passage affirms that if there is a choice between direct aid in the form of clothing and indirect aid in the form of a job at copying preference belongs to the former (1696).

the relative embarrassment, the man would remark: "I gave thee but a trifle" (886). Under certain circumstances, a needy person should be allowed a lump sum rather than a series of small grants (1717). There are times when a lump sum enables the recipient to profit by purchasing at reduced prices, while trivial gifts sometimes cause irritation (1717).

Another form of considerateness resides in the scruple about wasting the poor person's time (851). Let the gift be granted promptly so that the applicant might continue his quest for alms elsewhere (851). While the Talmud may be right in pronouncing gifts of food more satisfactory than gifts of money, still money is to be preferred if a dole of food humiliates (900-1056).²⁶ There is further the compunction about aiding the needy person in the presence of other needy persons or with their knowledge (896). This applies particularly when, because of conditions in the recipient's home, one wishes to provide him with some extra allowance or when one wishes to bestow, on various recipients, various sums (897). Shame or jealousy might plague the recipients of the smaller amounts should they become aware of the discrimination (896, 897).

One who is host to wayfarers should forbear to consume, in the presence of the wayfarers, luxuries which they themselves may not share (843). One should dine with the wayfarer in a leisurely manner (850). The host should drink frequently, thus encouraging the visitor to do likewise and allaying any suspicion of reluctant hospitality (850). The personal ministrations of Abraham and of Moses, when functioning as hosts, are cited here as models (850). Abraham serves also as exemplar of the aspiration to speak little but to give much and, if one does speak, not to let one's promises fall so far *short* of one's ultimate performance as to constitute a form of deception (1432).

If a well-known host, once wealthy but afterward in reduced circumstances, receives a community subvention in order that he might keep up his former hospitality, that fact — should wayfarers find it humiliating — ought not to be divulged (870).

²⁶ The *Sefer Hasidim*, as we saw (*supra* p. 10), also recognizes the Talmudic view that the more considerate gift is not money but food (899).

Nor need one, in such a case, harbor any scruples on the score of misrepresentation (870).

Locking of doors is to be avoided if such jeopardizes the wayfarer's safety or physical comfort (1711-1051-1052). Similarly the food served should not be such as will create physical needs that might bring a dignified guest into a perplexing situation (876).

Regard for the sensibilities of the poor devolves not only upon the giver but also upon anyone who, in some way, functions as intermediary between giver and recipient. One who is commissioned by another to convey a gift to a needy person should consider very carefully whether the donor might not later use his gift as a means of cheapening the one assisted (1694). The intermediary should attempt to forestall such an occurrence. As a last resort, the intermediary might, before undertaking the assignment, obtain the recipient's assent to the possible consequences (1694).

The thoughtful administrator conceals the recipient's identity lest such knowledge enable malevolent people to subject the recipient to shame (908, 910). Nor should the administrator take advantage of the recipient's timidity and insecurity by asking him to shoulder some especially difficult task or to work without pay (924).

When it comes to the hidden reimbursement of the poor for their forced contributions to a levy, they shall be reimbursed *in toto* on the basis of what they have contributed (914). They shall not be reimbursed in part, that is, merely to the extent of the help which they, as objects of charity, will be receiving in the usual course of events. From the levy, the poor are, under certain conditions, entirely exempt (914).

For rating himself as morally superior to some poor borrowers who had failed to pay back, a certain rich man was Divinely reproved (1682). God led that rich man into some error decidedly more grievous than that which he had condemned (1682).

In case of a public disaster, such as an inundation, food should be *taken* to the victims. They should not be obliged to go and fetch their supplies (899).

E. *The Matter of Precedence*

Among the preferred beneficiaries of one's benevolence, stand one's necessitous relatives.²⁷ Jewish tradition treats as charity certain benefits which we today would not put into that category — such as a father's support of his children²⁸ or a son's support of his parents (2-155, 1712). Under threat of public stigma, the son can be compelled to provide his father's maintenance (1712). Other relatives specified are the parents of one's father (895) and one's brothers.²⁹ One's mother takes precedence over one's teacher as regards ransom from captivity (1676). The relative of a prisoner was once required by the community to contribute more than others contributed to the fund for that prisoner's release (928). In vain, the relative pleaded that he had warned the community to take steps against the delinquent before matters reached a crisis (928). He who ignores his poor and deserving kinfolk and attends to less deserving outsiders resembles one who pays his unmortgaged liabilities while leaving unpaid his mortgaged liabilities (888). Such misplaced charity is headed for condign punishment; the recipients will respond to the giver with dislike and hostility (2-155, 1950).

These views exist alongside of the somewhat divergent view that, while the nurture of one's children may be meritorious, the merit is a somewhat feeble one — hardly more than an animal's instinctive devotion to its young (2-155). Also of divergent import is the story of the man who, upon the approach of death, meticulously provided for his kindred, with no other result than that of contentions and dissensions among them over the division of the estate (889).

Another class singled out for priority is that of students and scholars,³⁰ with stress upon learning pursued for its own sake

²⁷ The passages stressing the paramountcy of aid to relatives are numerous: 2-155, 886, 890, 913, 918, 919, 928, 1683, 1695.

²⁸ The father's obligation to support his children is broached in: 2-155, 865, 892, 893, 1703, 1704. Ket. 49B/9, 10 understands by "children" offspring less than six years of age.

²⁹ Reference to brothers in 2-155, 888, 889, 890, 1718.

³⁰ On students and scholars, 860, 862, 902, 903, 904, 905, 919, 921, 1029. Cf. Maimonides, *Matnot Ani'im*, X, 18 and *HUCA*, XX, (1947), 537.

and not for the sake of handouts (862, 919). Particular scorn is poured on such as study not for the purpose of fulfilling the Divine command but for the purpose of showing off their cleverness (1707).

Subsidizing of scholarship, like the building of a hostel for the needy (1529), takes precedence over the rearing of synagogues, of school houses, and of ornamental gates for the academy (862, 1707), even over relief for widows and orphans (860). The Talmudic passages are quoted which bristle with disdain for such synagogue building and such gate constructing, while the disciples of the Torah are left to languish (1707).³¹ A father, bestowing largess upon his children, should be especially generous to the son who devotes himself to sacred lore (892). Should an administrator get scholarship funds mixed up with other funds, the scholarship funds shall receive the benefit of the doubt (921). The passage is quoted from Hor. 13A/33 giving one's teacher precedence over one's father as regards ransom from captivity (1676). The preference extends even to a scholar's wife (1676). Assuming that the wife is an intrinsically excellent woman, her clothing — of course, indispensable clothing, not ornaments — takes precedence over more basic aid for anyone who is unlearned (1676).

Occasionally there is reference to individuals to whom one owes gratitude and consequent priority of charitable succor (35, 894, 895, 1718). Roles sometimes become reversed. Today's benefactor may, in bygone days, have been the assisted and *vice versa*. Precedence to claims upon one's bounty can be established by that relationship. An instance is recounted in which roles were not reversed but equalized, the wealthy benefactor becoming poor and the recipient continuing poor (1209). Memories of former benevolence inspired a devoted fellowship between the two. Jointly they sought alms and divided the alms, and jointly they shared a valuable object found by the originally poor member of the pair (1209).

The devout take precedence over the non-devout (1029). Those who are without other assistance shall have preference

³¹ These passages are: Yer. Shek. 49B/36-38, Yer. Peah 21B/57-59.

over those privileged with other sources of aid (586, 587, 630, 765, 912, 1695). Finally, if one's means be insufficient to succor many, the scope of one's beneficence shall be restricted accordingly (842). Better is adequate assistance, though but one person be aided, than inadequate assistance scattered among several (842). Distribution among several recipients is advisable only if those several have other benefactors by whom one's contribution can be amplified (842).

Priorities of a somewhat different order are illustrated by the prescription that, as regards sick calls (1029) and the loan of books (676), the poor shall take precedence over the wealthy. Helping a widow in a commercial transaction takes precedence over the study of sacred lore (1487). We have already noticed that the building of a hostel for the needy comes before the building of a synagogue (1529).³² When it is a choice between purchasing a scroll of the Pentateuch or supplying the poor with clothes, the latter is the option to prefer (1696).

F. *Miscellaneous Rules*

Various miscellaneous items of counsel regarding benevolence might be arranged in the following code:

1. As directed in Ket. 50A/3, 4, one's expenditures on benevolence should not exceed one fifth of one's possessions (863, 1671).

2. A person who has been accustomed to assist another and who then finds himself financially unable to continue that assistance shall communicate that fact to the recipient either directly or through the embarrassment saving device of an intermediary (871).

3. As stated in Yer. Meg. 74A/16, 17, a donor may alter the purpose for which his donation is intended if the wish for such alteration is voiced before the money reaches the hands of the treasurer, not afterward (860).³³

³² It was proposed, in a certain instance, to sell a synagogue and to give the proceeds to the poor (1630).

³³ 'Ar. 6A/42-44, Yer. Meg. 74A/16, 17, Tos. Meg. II (III), 4. (Zuckerman p. 224). The oft invoked wise man has something to say on this (1680, 1684).

4. Shek. II, 5 prescribes the disposition of sums collected in excess of existing needs (337-738). Excess of funds collected to finance a poor person's wedding shall go to the poor in general (337-739).

5. The poor are permitted to accept gifts from an apostate (1701).³⁴ A precedent for such giving developed in the case of Micah in Judg. 18.

III. TYPES OF CHARITY

A. *Wayfarers*³⁵

Allusion has already been made to the various types into which charity falls. One of these is that of entertaining wayfarers. At the risk of some repetition, we assemble what the *Sefer Hasidim* propounds under this head.

Entertaining wayfarers is among the deeds which bring, as their reward, immunity to the *Hibbut Hakeber*, the scourging of one's grave by demons (32). This immunity holds even though one dwells outside of Palestine (32). Entertaining wayfarers also procures one's exemption from Gehenna (32). Once someone entertained a deserving stranger (881). Release from Gehenna was thereby won for the host's deceased father (881). That opportunity arose because the father himself, though otherwise an unrighteous man, had been hospitable to worthy people (881). The wayfarer whom the son was led to welcome happened to be an offspring of one of those worthy people (881).

The inability to entertain sumptuously creates no justification for refusing to entertain at all (843). Nor does such justification arise were it to become necessary to feed the wayfarer coarse victuals while the host, even in the wayfarer's presence, partakes of dainties (843). There are times when a communal subsidy is in place for one who has habitually entertained wayfarers but has sunk into reduced circumstances (870).

The question comes up whether to apprise the wayfarer that this communal subvention exists (870). If the fact be humiliat-

³⁴ However, in 1702, a *Hakam* declines to accept an apostate's gift.

³⁵ Wayfarers, according to Baer, *op. cit.* p. 29, were mostly poor tradesmen journeying in connection with their calling.

ing to the wayfarer, it shall remain unmentioned (870). Otherwise, in the interest of truthfulness, it should be imparted (870).

Applicable to the entertaining of wayfarers is that which Abot I, 15 and III, 6 say about receiving people cheerfully (883). The householder who indulges in luxuries while the stranger has to be content with herbs shall at least shun dining in the stranger's presence (843). As we have already noted, the host is to eat and drink with the wayfarer in a leisurely manner so as to make the wayfarer feel at home and is to drink frequently in order to hearten the wayfarer to do likewise (850). However, the host shall not press the wayfarer to eat if the wayfarer should vow *not* to eat (1273). We have observed how the host is to have regard for the visitor's safety from fire and for his bodily comfort (876, 1711-1051-1052). If the stranger be a person of dignity about to journey by boat, the food given him must not be of a laxative character, creating needs incompatible with a traveler's stateliness and peace of mind (876).

Meanwhile the wayfarer himself has his obligations. The wayfarer should always leave a small quantity on his plate in order to avert the impression that he has been fed insufficiently (872). This means, of course, provided the host does not request the contrary (872). If the host bids him empty his plate, the wayfarer should obey (872, 873). Once upon a time, a wayfarer who ignored that request kept receiving smaller and smaller portions on his dish (873). Nor should the visitor tarry too long (845, 847, 867, 870), particularly if a traveling company should arrive with which he might continue his trip (845). A host gets to regret his generosity if it encourages the wayfarer to protract his stay unduly (847).

Sometimes the wayfarer provides his own food and drink (843), because the host can be so poor that it becomes advisable for the wayfarer to defray his own expenses (845, 846, 870).³⁶ Sometimes, as in the case of stranded voyagers, benevolence can consist not in giving them something but in selling them something, namely, food, drink, and clothing (899).

³⁶ This and the next sentence report matters highly peripheral to the subject of charity.

B. *Lending of Money*

Another type of benevolence is the traditional one of lending (1682, 1686), upon which we have already dwelt in another connection. Among the motives enlisted we found that of kindness. Lending shields the poor borrower from shame (1690). The poor borrower can always contend that there is to be repayment. A gift bestowed, once upon a time, when the needy person had asked for a loan, so humiliated the recipient that he never sought to borrow from that person again (1691). The lender should avoid confronting the borrower on the street, lest the borrower become alarmed, fearing that his honesty is being impugned and that a demand for payment impends (901). A right-minded lender will restrain the poor borrower from selling some object at a loss, should the borrower be contemplating that step in order to pay his debt by the stipulated date (1688). Deserving of curses is the creditor who, in the morning, takes by way of pledge, the tool which the poor borrower needs in his daily work, even though that same creditor may have been blessed by the borrower for having left him his pledged garment as a bed covering for the night (917).³⁷

At the same time, borrowers, like lenders, betray shortcomings. One of the arguments in favor of lending is that it keeps the impecunious from committing theft (1690). Nor does there exist any obligation to lend to anyone who is dilatory at paying (856). Detestable is not only the out and out deadbeat who, though able to repay, fails to repay; equally abominable is the person who professes himself too high-minded to accept alms yet is not too high-minded to borrow and borrow and then to default when it comes to settling accounts (864). Censure is also due the borrower who, while indulging in drink and in commerce with harlots, neglects his home and his children (855). Such a person should receive, at most, something to eat, mortifying though that form of succor might be (855). Assistance might be extended to his wife, if she be worthy, or to other members of his household, if they be worthy (855). In other words, a loan which

³⁷ The passage, of course, reflects Exod. Rab. XXXI, 7.

is a dignified form of help should, under certain circumstances, be superseded by the less respectful method of outright alms. If the borrower be a gambler, the amenities previously treated are utterly out of place (901, 1688). The sooner one gets one's money away from a gambler, the better the deed (1687). The borrower, moreover, is required to use the money in the manner specified when the loan is granted and not in any other way (869).

C. Lending of Books

A conspicuous mode of benevolence is the lending of books, especially lending to needy students; also the purchasing of books for the purpose of lending and having books transcribed for the purpose of lending.³⁸ Our text commends the man who, with some of the alms which he had collected for himself, made books available for others (1739-875). Women are mentioned who, by wielding their feminine wiles upon their husbands, contrived to put books into that kind of circulation (669, 670). It is also reported that a controversy over a debt was composed by taking the sum in dispute and, with it, supplying books to needy learners (1214, 1215). One passage teaches that furnishing books to necessitous students assures a heavenly reward equal to that of study itself (671).³⁹ The eleemosynary lending of books is also among the procedures for expiating sin (630). The Talmud (B. M. 29B/20) does not require the owner of books to permit their use by those to whom they are entrusted for safekeeping (673, 674). Nevertheless, saintliness does not stickle at the letter of the law but goes graciously beyond and consents to such utilization (673, 674).

Unless the prospective borrower be unworthy (1739-876), refusal to lend is amenable to punishment from on High (673, 677, 1739-876). Elegance of script and correctness of text are a liability, not an asset, if they create, in the owner, unwillingness

³⁸ The passages are, in the Parma enumeration, 669 to 678, 1215, 1739.

³⁹ Elsewhere the view occurs that scholarship is superior to everything, charity included (850, 1737). We might regard 1487 (the scholar interrupting his studies to aid a widow) as a compromise between these views.

or hesitation as to loaning (630). The owner of books should bequeath them to the heir who is likely to put them at other people's disposal (675).⁴⁰ A testator once adjured his heirs so to deport themselves toward people as to avoid friction because thereby the lending of books would be hindered (676). He further advised lending books to the poor rather than to the rich (676).

There is considerable solicitude that the borrower make diligent and worthy use of the books (676, 678). Alluding apparently to the Mishnah and the Talmud, it is urged that, to facilitate lending, each tractate be separately bound (630, 672).

D. Ransom

Prominent among the forms of benevolence is redemption from captivity, from imprisonment, or from various other penalties imposed by the state (902, 928, 1676). In conformity with earlier rulings, the ransom of one's mother takes precedence over that of one's teacher and that of one's teacher over that of one's father (1676).⁴¹ Also a person's own ransom has priority over that of his father (1676).

Community funds are not to be expended for anyone's ransom from physical mutilation or from death, if the victim himself possesses means (928). The community shall obtain that person's release but shall do it with that person's own resources and shall disregard the victim's protests that he prefers any punishment to financial deprivation (928). When the community ransoms one of its members from imprisonment, relatives of the imprisoned shall contribute an extra percentage (928). No relative shall gain exemption by pleading that he had warned the community of the impending trouble long in advance (928).

A story is told of a Jewish captive rescued by a group of fellow Jews not by an outlay of money but by an ingenious trick (902). The rescued captive later declined to accept as a gift the sum which his rescuers might otherwise have spent for his deliverance.

⁴⁰ Like 1703, *supra* p. 11 where the heir who is charitably inclined is to get the larger legacy.

⁴¹ Hor. III, 7, 13A/20, B. M. II, 11.

E. *Other Forms of Benevolence*

A possible way of aiding a poor person is that of investing a sum profitably and letting the poor person draw the income (1233-1075, 1678-1029). Another type consists in contributing to the dowries of needy brides (890, 891) and in financing the marriage of orphans (925), also in rearing orphans (1967). There is, as we have seen, the maintenance of students and also the compensating of teachers to instruct the needy (671). Doubtless viewed as a benevolent act is that of the man who, in a volunteer capacity, assisted poor children with their lessons (763).⁴² Providing needy persons with military equipment is pronounced to be deserving of as much reward as that Divinely conferred for action in the field (671).

IV. INTERMEDIARIES

A. *Administrators*

Our text refers not only to givers and recipients but also to various types of intermediaries between the two. Foremost among these is the charity administrator, an official charged with the collection and disbursement of funds. The words are quoted from B. B. 9A/40 that the solicitor is greater than the giver (912).⁴³

From B. B. 10B/8, 9 is cited the passage which requires of the administrator that reliability and that fidelity to trust for which Hananiah ben Teradyon (Ab. Zar. 17B/25-28) had become the paragon, Hananiah who made good the difference out of his own pocket when, by some confusion of two separate funds of which he had charge, money belonging to the one got expended for purposes of the other (906). That is why a person who is both poor and forgetful may not serve as *Gabbai*, no matter how wise or how trustworthy he might be (907). We have already noticed that when an administrator's forgetfulness

⁴² A cognate thought in Lev. Rab. XXXIV, 4, also in 15-591 of our present study.

⁴³ We may assume that the *Gabbai*, the administrator, is here meant because, though the word "*Gabbai*" does not appear in this paragraph, it does appear in neighboring paragraphs (906, 907, 908, 909, 910).

and confusion involve two funds one of which contains resources for worthy students, the students get the benefit of the doubt (921).

Among the cautions urged upon the *Gabbai* as disburser is that of avoiding duplication (912).⁴⁴ Help should go to the indigent person who is receiving help from no other source (912). Another compunction, as we have seen, rules out taking advantage of the poor recipient's timidity and insecurity and requiring him to perform certain tasks or to undergo certain hardships without pay (924). And assistance should be secret (908). The identity of the recipient should be concealed from all except the inner circle of charity administration, even though such a practice may subject the administrator to embarrassing questions as to what has become of the money (908).

When collecting, it is iniquitous of the *Gabbai* to shame contributions out of people who can not afford them (871, 912). Such an act is robbery⁴⁵(912), particularly if donations be exacted from people classifiable as poor (61).⁴⁶

Among other things, the *Gabbai*, when on his rounds soliciting, should avoid doubling his fist inward under his arm as if he had been pilfering (1716). To be clean of obliquity is not enough. The administrator must keep himself untouched by even the slightest suspicion.

The case is reported of someone in charge of charity funds who, without consulting the elders of the community, carried the money around with him on his person (1681). The money somehow got lost. That man's punishment was a fatal accident to children of his somewhere on the very road along which the loss had occurred (1681). This context quotes Sheḥ. IV,3 and Ket. 106B/36 which prohibit the use of such money in the ventures of commerce (1681).⁴⁷

⁴⁴ A similar rule is proposed for private benevolence (*supra* pp. 20, 21).

⁴⁵ On "robbery," note 17.

⁴⁶ However, it is also taught that even the poor must give (*supra* p. 14).

⁴⁷ On pp. 13, 27, 30, 32, we note what is said (1678, 1679) about the investment of charity funds. 'Ar., 6B top, tells how R. Yannai, an administrator, borrowed charity funds for his own business ventures. In his interpretation of *leshannoto* ('Ar. 6A/27, 45), Rashi maintains that the pledger of a

Among the rules to be followed is that quoted from Tos. Meg. I,5 (also B. M. 78B/12) that funds collected for Purim should be used for Purim exclusively and that what is collected in a given city should be disbursed only in that city (869).⁴⁸

Of course, administrators encountered difficulties.⁴⁹ There was the individual who donated a certain object to the charity fund and then clamored when the administrator, actuated by a sense of his responsibility to the poor, sold that object to the highest bidder; the highest bidder, in this instance, happening to be a man with whom the donor had a quarrel (922). Someone counseled the administrator to yield to the donor lest, in the future, the donor refuse to give (922). Others advised that the donor's protests be ignored and that the future be left to take care of itself (922).

We have already been apprised how the unknowing public asks: "What has become of the money?" when the administrator conceals the name of the recipient from all except the inner circle (908). Sometimes the upbraidings of irresponsible rascals can be overlooked, but sometimes the reproaches hurled at the administrator warrant his abdication (909, 910). And yet, if his successor is likely to be someone devoid of scruples about disclosing a poor recipient's identity, the assailed administrator should forego that escape (910).

B. *Other Kinds of Intermediaries*

The *Gabbai* is not the only fund raiser contemplated in the *Sefer Hasidim* (33). Any man of wealth may seek contributions for the indigent (866). However, that community bigwig is worthy of abhorrence who, in an assembly for money raising, arrogantly presumes to dictate how much each one present shall give, though sum may use that sum for his own needs subject to later payment of the sum to the communal agency.

⁴⁸ Meg. 27A/38-40 differs from this somewhat. Cf. Maimonides, *Matnot 'Aniyim*, VII, 14.

⁴⁹ The classic passage for the troubles of administrators is Yer. Peah 21A/32-37 (Krotoschin), reflected in *Yoreh De'ah*, 257, 7. There the difficulties are caused by the recipients. In the *Sefer Hasidim*, 908 and 922, the annoyances are precipitated by the donors.

he himself dodges that obligation (911). Not to such does the adage apply that the merits of him who solicits exceed the merits of him who contributes (B. B. 9A/40).

Considered at length are the instances treated in Yer. Peah illustrating the person who pretends to be seeking alms for himself⁵⁰ but who clandestinely passes them on to the really necessitous (860). Of a class with him is the person in reduced circumstances who continues his former hospitality toward wayfarers but does so on a communal subvention (870).

Again, a person may enter into an agreement with one of his customers (1689). Provided the customer be wealthy, one may sell him a commodity at an extortionate price, with the understanding that the entire sum be devoted to charitable relief (1689).

The question is debated whether a person may assign a sum of money to another for investment at a sharing of the profit, half and half,⁵¹ with the proviso that, after the owner's decease, the capital be turned over to projects of benevolence (1678-1028). The objection arises that, if the poor know about it, they may wish that the owner might die (1678-1028). Also they may accuse the holder of robbing them. Of course, if the persons to be benefited are unaware of the arrangement, those objections lose their weight (1678-1028). At least in part, the capital should go directly to the poor person who is to be assisted, if no one righteous enough to be entrusted with the money happens to be at hand.

If one receives from another a sum for transmission to worthy poor people, that wish must be carried out even though the donor be so wicked as to deserve the punishment named in B. K. 16B/43, 44, and in B. B. 9B/44, 45. This is the punishment of being ensnared into giving to the unworthy, a giving which forfeits the Heavenly rewards (920). Tricking the evil-doer into that predicament is not the function of man; it is the office of God (920).

⁵⁰ In the Krotoschin edition of Yerushalmi, these stories appear in Yer. Peah 21B/22-26 (VIII, Halakah 8).

⁵¹ This arrangement of "half and half" is broached a number of times in the parts which we are using (864, 1209, 1233-1075, 1678, 1682).

Sometimes the intermediary knows that the giver intends, by means of the gift, to put the recipient to shame (1694). As we have already learnt, the intermediary shall do his utmost to avert such an occurrence. He shall suggest that the gift be presented not to the person named but to someone anonymous (1694). The go-between shall become accessory to that humiliation only after he has secured the recipient's consent to accept the gift under those conditions (1694).

It is of questionable rectitude for the almoner to take money intended for unspecified recipients and to bestow it upon his own relatives (1683). Surely he is culpable if he essays thereby to lighten his own burden. If the giver has poor relatives and the almoner has poor relatives, the choice shall, by all means, favor the relatives of the giver (918).

C. *The Ḥakam*

Another kind of intermediary, mentioned no fewer than 29 times in our 212 paragraphs,⁵² is the *Ḥakam*, the wise man, who recurrently counsels, admonishes, and rebukes the several participants figuring in the charity process. In one passage, the word means the same as the word *Rab* (1702). Today *Ḥakam* is the Sephardic term where non-Sephardic groups say "Rabbi." In the *Sefer Ḥasidim*, however, *Ḥakam* seems to be not necessarily the name of an official. It ordinarily appears as but the common noun for "wise man" or "sage."

a.) ADVICE TO DONORS

Usually, though not invariably, the *Ḥakam* speaks in reply to questions. He counsels a prospective donor with regard to the poor who are to be chosen as recipients, and later cautions the

⁵² This total is obtained by adding our 210 Parma numbers to the two Bologna numbers of passages apparently not duplicated in the Parma text. We get 217 if we count the seven instances in which we have used the same Parma number more than once in order to indicate that its material is distributed over more than one unit of the Bologna. In these instances, our reference hyphenates the Parma number and the Bologna number as in 2-155, 1233-1075 and the like.

same donor against enlarging his list of recipients without augmenting the fund (1684). In response to an identical query proffered by three different pledgers whether, between the time of pledging and the time of paying, the pledger may use the pledged sum in his business, the *Hakam* gives three different answers (1679). To the first, his answer is "Yes." The second is apprised that he may retain the money but that he must lay it aside; he may not invest it. A third is directed to pay the sum immediately either to the poor or to a duly authorized representative of the communal charities (1679). The *Hakam* presently explains that all depends upon the character and the trustworthiness of the respective pledgers (1679).

In one instance, a *Hakam* advises emphatically against giving through an administrator and urges that the money be given to necessitous relatives and that they receive it directly (889). On another occasion, the wise man recommends guiding the poor person in his business transactions and collecting for him what is owed him by others (889). In another instance, a *Hakam* deprecates paying a necessitous copyist more than the prevailing price when the work had been poorly done (887). Again, a *Hakam* definitely forbids a person in reduced circumstances to appropriate the benefits of his own unpaid pledge (1680). That person, according to the *Hakam*, had forfeited all claim to consideration because the money had, at no time, left the pledger's hands for the coffers of the community (1680).⁵³

b.) ADVICE TO RECIPIENTS

The *Hakam* addresses himself also to the poor. A *Hakam* reprimands the poor person who boasts of never having accepted alms when he was constantly presuming on people's hospitality and endlessly imploring people to grant him now this thing, now that (867). A *Hakam* was asked by a man of scant means whether to give his daughter to a poor suitor who would be satisfied with a small dowry or whether, by canvassing from town to town,

⁵³ The importance of detaching oneself from the money one has pledged is a recurrent theme (34, 1678, 1679).

the father should assemble a munificent dowry so that the daughter might wed a suitor with wealth (891). The *Hakam* pronounces in favor of the suitor proffering the more modest demands. As the *Hakam* calls to mind, the Torah, according to Ket. 67B/8, 9 and Sifre to Deut. 15. 8, enjoins that the poor be assisted; it does not require that they be made rich (891). A *Hakam* advises a wayfarer that disregard for his host's wishes was the reason for the wayfarer's getting less and less on his plate (873). We have just noted the plight of the man in straitened circumstances who, by a *Hakam's* ruling, was forbidden to avail himself of funds which he had pledged in more prosperous times but had never paid over to any communal agent (1680). A *Hakam* also cautioned a necessitous individual that the acceptance of charity were preferable to going on the road as a peddler (773). The warning was disregarded. The result was the peddler's capture by brigands and a ransom which cost the community far more than would have been the expense of charitable maintenance (773).

C.) ADVICE TO A RICH MAN

But the rich as well as the poor receive the wise man's admonitions. When told of some impecunious people who had failed to repay a loan, a certain man of means had boasted of his own superior honesty (1682). Soon thereafter that wealthy man committed a misstep worse than that which he had criticized. A wise man explained that God had thus put that rich man to the test and had taught him that self-adulation had better be eschewed (1682).

D.) ADVICE TO INTERMEDIARIES

Advice is directed likewise to the various intermediaries. When the donor of an object protested against the administrator's sale of that object to someone whom the donor hated, a *Hakam* consulted by the administrator, recommended concession to the donor's wishes (922). A man who had been gathering funds over a large area and who then found himself near death before the

canvass could be completed, besought a *Hakam* for a solution of the quandary (925). The sage counsels not a laborious returning of the sum to its many contributors but entrusting it to some sympathetic and responsible person for subsidizing the marriage of an orphaned youth and maiden (925).⁵⁴ A *Hakam* was also consulted by a man in whose charge a donation had been placed by someone since deceased (1683). The donor had designated that particular *Hakam* to choose the beneficiaries. The *Hakam* ruled that the intermediary's relatives were ineligible if including them enabled the intermediary to shirk his own duty (1683). Though the word *Hakam* is not used, there is allusion to a venerable man who counsels the heir of a certain Rabbi (1685). The Rabbi, having sent a messenger abroad to solicit funds evidently for the Rabbi's own use, died before the funds could be disbursed (1685). The aged man advises the son to do as his father would have done had he survived, namely, to liquidate the father's liabilities (1685). Again, someone had been entrusted with a valuable object which was to serve a charitable purpose when someone arises who, seeking to usurp the place of that intermediary, demands possession of that object (1697). The wise man decides that the intermediary should not yield.

e.) ADVICE TO ADVISERS

Also among those whom the *Hakam* addresses are his own pupils. This happens after the three questioners who had put identical questions receive three different answers (1679). "Thy words travel in three directions" observe the pupils. Whereupon the wise man furnishes his explanation. It was also in reply to a pupil's query that a wise man rendered his decision against the man who had seen better days and had hoped to be aided by sums which he himself had pledged but never paid (1680). Finally there is the case of the *Hakam*, this time called "Rabbi,"

⁵⁴ This reminds us of the modern legal theory of *cy pres* by which the court assigns, to a project most nearly approximating the one named in the will, a bequest which, owing to changed conditions, can not be used as the will specifies.

who advises his own advisers (1702). The *Ḥakam* is urged to accept a generous gift offered him by an apostate. This he refuses to do. Instead, he attempts to rebut his advisers' argument that Elijah had accepted succor from the apostate Ahab. According to the *Ḥakam*, the incident of the ravens, conveying bread and meat to Elijah from Ahab's own commissary, rested on an exceptional circumstance, namely, the need of shielding the woman of Zarephath from Ahab's suspicions and wrath.

f.) THE ḤAKAM'S DEFICIENCIES

Nor is the wise man always unchallenged in his authority or infallible in his wisdom. In one instance, he incurs the accusation of robbery (1697). His upbraider is the man who wishes to supersede another in the handling of an object dedicated to charitable purposes by someone then deceased. The sage, of course, retorts that it would be robbery if the demands of the intruder were heeded (1697). In another instance, a wise man remonstrates against someone's committing a gift to an administrator of charity instead of handing it directly to poor relatives (889). The donor acceded to the wise man's insistence but afterward changed his mind and showed valid reasons for so doing (889). He could refer to the strife which had broken out among the heirs of a certain man who had carefully apportioned his estate among his prospective survivors (889). A *Ḥakam* may have advised deference to the wishes of a man who had donated an object to benevolence and then protested violently regarding the purchaser to whom the object had been sold (922). But there were others who saw the matter in a different light (922). Then there is the occasion on which a poor man's scruple in a certain matter, presently to be noted, throws a *Ḥakam's* non-concern into unfavorable contrast (1677). Once a wise man consented to have prayers recited in a synagogue for an allegedly sick person who turned out to be a cheat (858). The illness had been feigned for the purpose of obtaining alms to which the individual was not entitled (858). As a curb for irascibility, charitableness once turned out preferable to a *Ḥakam's* suggestions of self-imprecation (127).

V. RESTRICTIONS OF CHARITY

A. *The Unworthy Poor*

We have no fewer than 21 references to the *Tobim*, the poor who are upright, worthy, deserving. Examples would be the scholars who forbear to make capital of their learning (902, 903, 904). Had those scholars done so, they would have obtained ampler sums. Long would they keep their erudition concealed. Gifts offered them specially because of their scholarship would be rejected.

The poor can also exemplify the grace of benevolence (61 879). One poor man, with part of the alms he received, provided books for the use of other people (1739-875).⁵⁵ Like him was the aged man, ailing and poverty-stricken who, instead of retaining his prayer-shawl to wear at his burial, bequeathed it to someone who was too poor to own a prayer-shawl (333). Remarked the aged man: "In the grave, I shall pronounce no benedictions over it, but he will pronounce a benediction over it daily." The poor who, despite the pesterings of poverty, abstain from doing wrong (1950) are *ipso facto* immune to the torments of the hereafter whatever may otherwise have been their transgressions (15). The penniless Simeon ben Joḥai and Ḥanina ben Dosa were deliverers of the world (1950).

There was the poor man who showed himself more circumspect and conscientious than the Rabbi (1677). The Rabbi had offered the man a letter commending him to the benevolence of persons residing far away. This letter the poor man declined. He was unwilling to compete with another poor man who had obtained such a letter from the same Rabbi previously (1677).

It is apparently the upright poor who keep the benevolent informed as to the true extent of indigence in the community and who thus prevent the "robbery" of supplying the poor in excess of their needs (898).

For all that, our text deals much more extensively with the charity recipients' shortcomings. In this respect, the *Sefer Hasi-*

⁵⁵ This conflicts with 1229 and 1698, *supra* pp. 15, 39.

dim diverges from the Bible which views the poor only with compassion, and also from the Talmud whose only evil doers among applicants for charity are the imposters.⁵⁶ The *Sefer Hasidim* pillories the deadbeat borrower who, though able to repay (856),⁵⁷ fails to repay or who pays only after much dunning and wrangling (855, 1682). Also denounced is the man who borrows, though he knows himself to be a ne'er-do-well with whom repayment is unlikely (864). There is the gambler who beseeches alms with which to absolve himself of his gambling debts (853, 898, 1687). There is the deceiver (852-1024, 853), the spendthrift (853), the ingrate (853), the thief (852-1024), the robber (852-1024), the bandit (1926), the drunkard (857), the adulterer (1926), the talebearer (853), the misleader (853), the seducer (843, 853), the glutton (840, 857), the patronizer of harlots (840, 855), the potential murderer (857), the improvident individual (1717) and the impertinent individual (840), the rebel against God (840), not to mention the poor person who, in former years of prosperity, led a mean and stingy life (854). There is the charity seeker who neglects his own children (855). There is the borrower of a book who fails to use the book as assiduously as he permitted the lender to believe he would (678).

It can also be reprehensible if charity is not accepted (773, 865), especially when a father thus exposes his children to starvation (865). Our attention has already been called to the man who, with the intent of discarding charity, became a peddler and who, captured by bandits, eventually cost the community far more to ransom than it would originally have cost to support him (773). Like him is the individual who boasts that he dispenses with alms but who is constantly borrowing without repaying and constantly presuming upon people's hospitality and imposing on their generosity (864, 867). Such deeds a certain sage equates with robbery,⁵⁸ as it is also robbery to receive aid in excess of one's needs (898).

There is, of course, the wayfarer who, sometimes traveling

⁵⁶ Our *Bible and Our Social Outlook* pp. 22-24. On imposture as considered in the Talmud and the Midrash, Ket. 67B, 68A, Yer. Peah, 21B/8-24, Lev. Rab. XXXIV, 11.

⁵⁷ *Supra* note 36.

⁵⁸ *Supra* note 17

merely on a jaunt or on profit seeking business (845), overstays and long overstays his welcome (845, 847, 870), also the wayfarer whose precarious morals spell menace for the women of the house (843, 1711-1052).

Then there is the poor workmanship of one engaged to do copying at a fee benevolently higher than prevailing rates (887). There is further the individual who shirks the course of instruction that might train him to earn something as a scribe (884). Then there are those who, all of a sudden, become "students of the Torah" when it is rumored that some money is available for students of the Torah (919); and there are those who study not from motives of piety but only for the sake of showing off their smartness (1707). Always, of course, there is the out and out imposter (855, 859). Such an imposter, falsely pretending to be ill and in want, actually managed to enlist the intercessory prayer of a synagogue (858).

B. *A Possible Code*⁵⁹

With a view to curbing such iniquities, these paragraphs contain material which might be arranged in the following code:

1. A scholar should avoid announcing his identity as a scholar though, by so doing, he were to increase his charitable intake (904).

2. An itinerant scholar should avoid learned discussion if the group upon which he chances proves unresponsive (904).

3. If an itinerant scholar enters a synagogue to seek shelter from the rain, he must compensate for the privilege by engaging someone in learned discussion (904).

4. Whoever borrows a book must make good and conscientious use of the book (676, 678).

5. One subsisting on charity must forego all superfluities (905).

6. A wealthy person may accept charitable aid provided he happens to be in a foreign land when all of his possessions are in his homeland (866).

⁵⁹ We assembled a possible code for givers *supra* pp. 21, 22.

7. Despite Ket. 68A/13-15, one must, owing to the deterioration of moral conditions since Talmudic times, sell one's vessels of gold and vessels of silver before obtaining charitable relief (915).⁶⁰

8. It is permissible to abstain from working if one does so in order to study (765, 1084). Otherwise no course is so commendable as that of self-support (1084).

9. When it is possible to procure help from the communal administrator of charity, one should forbear to seek aid from any private individual (867, 868).

10. One may, prior to receiving assistance, set forth one's needs. After assistance has been allowed, one should trouble one's benefactors no further (868). After proposing to accept little, one should not thereafter accept much (1432).

11. Recipients of alms shall not divulge to one another how much they have received from one and the same individual (897).

12. A recipient of someone's bounty shall not impose upon his benefactor the burden of an additional beneficiary (875).

13. Someone receiving a grant because of his upright character and his devotion to study shall share that gift only with someone who is equally upright and equally studious (905, 1700).

14. A recipient of alms shall not pass on to others anything that he receives if the alms are granted on condition that such transfer be omitted (905). He is, of course, expected to use them on his family (1700).

15. A recipient of someone's bounty may, from his allowance, purchase a citron for the congregation or otherwise promote sacred observances only if such had been his practice before the grant was begun (1698, 1699).⁶¹

16. A stranger (presumably a mendicant), newly arrived in a city, must forbear to praise the people of that city as being more liberal givers than those of other cities. Such compliments might diminish generosity (898).

17. A wayfarer must have regard for the feelings of his host (848), just as a host must have regard for those of the wayfarer:

⁶⁰ We consider the correctness of this in note 108.

⁶¹ Of similar purport is material in 1229 used *supra* p. 15 and note 55.

a.) A wayfarer must not foist himself upon a host who is so poor that only a sense of shame deters the host from refusing hospitality (845, 848).

b.) He must not foist himself upon a person of wealth if that person be so parsimonious that only a sense of shame deters him from refusing hospitality (848).

c.) A wayfarer may defray his own expenses in the house of a poor person but not in that of a rich person.⁶² The latter would be risking people's unfavorable reactions (846, 849).

d.) A wayfarer shall not bring with him another wayfarer unless invited by his host to do so (874).

e.) A wayfarer shall not waste any of his host's food (872).

f.) A wayfarer shall comply with his host's wishes (873).

18. A recipient of alms shall discontinue accepting alms as soon as he learns that his benefactor can not afford them (871).

19. A poor person, unable to give to charity any appreciable sum, can perform meritorious deeds of personal service (61).

20. Those who give to the living in behalf of the dead should make that fact known in order that the recipients might pray for the dead (356). The form of prayer is provided (357).

21. Poverty is to be accepted in a spirit of devout resignation. The poor should confess the wisdom of the Divine rule, recalling how Simeon ben Joḥai and Ḥanina ben Dosa evinced such merits, amidst their poverty, as to become mainstays of the world; aware likewise that wealth might have generated vain-glory and that poverty can be the forerunner of radiant future blessings (1950).

C. *Objectionable Charity*

In line with these censures and controls, we find, in the *Sefer Ḥasidim*, a strain highly alien to earlier Jewish writings, the thought, namely, that virtue can lie not in giving but in withholding. The blessings of such as sustain the unworthy, God does not desire (917). One's own father, if profligate, is to be deprived; how much the more any other disreputable person

⁶² *Supra* note 36.

whose viciousness will only expand under a grant of assistance (1705).

The Talmud is quoted to the effect that being enticed into helping the unworthy is a retribution for sin (920).⁶³ Such giving is branded as itself a sin (840). What one gives to reprobates becomes harlot's hire and encouragement of rebellion against the Almighty (840). For such giving, poverty is one of the punishments (1950). That sin can involve in punishment also one's descendants (586, 913). When a community degenerated into succoring those who did not deserve it, the reason was God's intent to divest that community of merit (586, 913). It is true that a certain man prospered not when he helped the worthy but when he helped the unworthy (1706). This happened, however, only with the object of inducing the man to persist in his evil ways, ultimately to succumb to punishment of the severest kind (1706, 1950).⁶⁴

Instead of favoring a thief with charity, one should wrest the stolen object from his hands (852-1025). It is similarly commendable to get one's money away from the impecunious borrower who has the audacity to indulge in games of chance (1687). Charity should be denied him who robs as well as him who, in previous days of wealth, conducted himself in an uncharitable and unaccommodating manner (854). Lev. Rab. XXII, 2, "Toward him who is evil forbear to do good" is quoted twice (843, 856).⁶⁵ Several times the exhortation occurs to withdraw mercy from the merciless (2-155, 852-1024, 853),⁶⁶ and the meaning of "merciless" is stretched to include not only him who "steals, robs, seduces, misleads, and goes talebearing" but also one who scorns good advice, shows himself ungrateful, plunges into gambling debts or otherwise squanders his resources (853). He who accords assistance of any kind to bandits, adulterers, and patronizers of harlots really collaborates with gentry

⁶³ The Talmudic passages are: B. K. 16B/43, 44, B. B. 9B/44, 45.

⁶⁴ We come upon the same theme in 1233-1076, in 1950 and, outside of the material used in this study, 236-215.

⁶⁵ The passage appears also in Eccl. Rab. V, 10 and in Yalkuṭ Ecc. 972, and in Lev. Rab. XXII, 2.

⁶⁶ The sentiment appears also in 181 but not in connection with charity.

of that type (1926). It is desirable that a gambler and such like be exposed to ignominy (853), just as it is advisable for a father to subject his disobedient and unstudious sons to hardship by withdrawing paternal support and thus to force them into more tolerable behavior (893). Correspondingly, one who rears orphans should not shrink from disciplining them if necessary, objectionable though it may be to punish any child at all merely by way of venting one's vindictiveness and rage (2-155, 1967).

Unworthy persons should be excluded from rent-free occupancy of rooms (1899). Nor is it *Ẓedaqah*, charity; it is *Ẓe'akah*, an outcry,⁶⁷ as in Isa. 5.7, to continue paying a necessitous copyist a benevolently exorbitant fee for inefficient work (884). Fittingly were those *ad hoc* Torah "students" excluded from an allowance which a relative had set aside for genuine students, Torah students of long standing (919). When a recipient of aid petitioned his benefactor to take on an acquaintance of the recipient as an added beneficiary, the benefactor most properly transferred his beneficence from the petitioner to that other person (875). Fittingly likewise was that man in reduced circumstances forbidden access to the money which he had, in more prosperous days, pledged but never paid (1680).

Assisting someone not in want is prohibited unless it be someone like those saintly men in the Palestinian Talmud who entertained alms only to pass them on to the really poor (860). To receive gifts in excess of one's needs amounts to robbery (898). Nor are the poor to be aided by means of lies (1225). It is a perverted way of advancing a poor person's interests if, pricing some object which a poor person wishes to sell, one pronounces it worth seventy pieces of money when its real worth is not more than sixty (1225). Similarly, one should not conceal a poor person's flaws for the purpose of eliciting, in his behalf, more copious gifts (1163). Nor should the father of a son accept presents from the father of a daughter, though the former be poor and the latter wealthy, if such acceptance creates a false impression that the father of the son favors his son's marriage to that daughter (1890). While someone, *a propos* the purchase

⁶⁷ This pointed application of Isa. 5.7 appears also in 889 and in 1926.

of wine for the Sabbath advocates patronizing a wine dealer who is hard up rather than one who is prosperous, someone propounds the dissenting opinion that, for the Sabbath, the wine used should be of the best and that the well-to-do dealer should be patronized if he, and not the struggling one, has the choicest wine on sale (616).

Meanwhile, Divine retribution for imposters (858) and malingers (859) on the pattern of "manner for manner"⁶⁸ supplements the human measures for repressing such misdeeds.

The only exception to the rule against giving to the unworthy occurs when such aid serves the purpose of averting some calamity. This develops in the case of the scoundrel who is likely to commit murder if refused help (857) or of the father who bestows assistance upon a good-for-nothing son in order to prevent the son's further deterioration (893, 1704).

Verily, one should supplicate God to send one's way people who are deserving (61).

⁶⁸ The thought goes back to Peah VIII, 9.

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⁶⁹ As we stated in note 16, our text contains many a paragraph which illustrates more than one point of our discussion. This necessitated citing various paragraphs more than once. This register has the purpose of acknowledging and reporting those repetitions and of facilitating reference.

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Passages of Social Import Translated

At various points, the wording of the Sefer Hasidim presents extraordinary difficulties. Some passages proved unintelligible or intelligible only if emended. Occasionally the meaning had to be guessed. Indispensable assistance was rendered by Dr. Isaiah Sonne who gave unstintedly of his time and of his vast knowledge.

The enumerations in italics refer to the text of Bologna. The order followed here is that in the text of Parma. Where material of social import occupies not an entire unit but only a part of a unit, the excision, if occurring at the opening or at the close of the unit, is not indicated.

2, 155

One who is compassionate toward the merciless will become merciless toward the compassionate; like Saul, compassionate toward Amalek but later cruel toward Nob, the city of priests, which had been merciful to David.

If one shows compassion toward the cruel but lacks compassion for the merciful, that is, for those who are obligated to treat one with mercy — such as one's children, parents, brethren, relatives — giving them naught when they are in need, although able to support them; the possessions of the person thus remiss will land in the hands of someone who has neither merit nor benevolence.

If one, knowing his father or mother or brethren to be necessitous, maintains not them but others, those others whom he succors will eventually treat him cruelly, showing him neither mercy nor gratitude for the kindness he has bestowed upon them. They will, in fact, become his very foes.

There is that the performance of which entails no merit but the omission of which works discredit. An example would be the man and the woman who love their children and, having the means, sustain and show compassion toward those children, and still exemplify thereby neither merit nor benevolence. In their love, they do merely what the dog does for its pups or what the bear or other wild beasts do which risk their lives to obtain food

for their whelps. If the parents failed to bestow compassion upon or to support their young (the young being utterly without possessions), or if the parents were to chastise their young needlessly and without any relation to discipline, the iniquity of those parents would be too great to bear.

2, 156

Every day, in his own behalf and in behalf of his seed and of his seed's seed, let a man supplicate God to link together, within them, reverence, learning, and kindness. These are the three of which it is said "a threefold cord is not quickly broken" (Ecc. 4.12). The letters of each of the three terms, *Yirat*, *Torah*, *Gemilut Ḥasadim*, yield the identical numerical value (six hundred and eleven), which means that the three are equal to one another; reverence equal to learning, kindness equal to learning.

15, 164

Abstinence from wrongdoing despite the pesterings of poverty . . . avails as a substitute for the torments of Gehenna incurred because of one's sins . . . Understand that, if one procures a *litra* by robbery and then gives that *litra* in charity to the poor, the punishment incurred outweighs the merit gained.

15, 591

The merit of favoring others with religious instruction or with charity is proportionate to the satisfaction obtained by the persons assisted. Yes, according to the advantage reaped by the person assisted, does the benefactor gain reward.

One may do little and have it accounted for righteousness, and then one may do much and yet lack merit. For instance, one may bestow upon another many pieces of money which it is a humiliation to accept. But, if the benefactor says to one whom he would help: "Dine with me today," that act involves no slur. Such an approach is meritorious and deserving of abundant recompense.

33, 6II

Twice does the passage occur, "Righteousness (that is, charity) delivereth from death" (Prov. 10.2, 11.4). One incidence of the passage refers to the person who performed acts of charity and justice. The other alludes to the person who lacked means for doing charity. But that person asked others to give and, as a result of his asking, others did give. This is the purport of the dual occurrence of those words in the Book of Proverbs.

34, 6II

As to the future world, "riches profit not in the day of wrath" (Prov. 11.4), though one render, in this world, gifts in behalf of one who has lured others into sin or has deterred others from giving and doing or has himself neither pursued studies nor performed worthy acts and has obtained none of the merits which attach to worthy acts and has neglected, during his lifetime, to hand over, to some trustworthy person, a sum for charitable use after the donor's death. Though one were to give a houseful of gold in behalf of such a deceased individual, that giving would be bootless.

It simply does not work that one person should have the virtues and another the advantages. Were it thus, how could there be any drawbacks for the wicked? A person could enjoy this world's boons and then enter Paradise by reason of another's efforts.

The deceased has to show merits as well as transgressions⁷⁰ before the living can, by fasting and prayer, reduce the punishment of the deceased according to the punishments accepted by the living and according to the benevolence performed by the living; diminishing or augmenting the punishment (of the living) in proportion to the transgressions (of the departed).

One may declare, after another's death, "I take upon myself any affliction in order to secure that person's release." Such

⁷⁰ Judah Bergman (*Zedakah Beyisra'el*, Jerusalem 1944, pp. 42, 43) informs us that Hai Gaon held this view. The thought appears also in 1042 and 1092.

would be effective provided the deceased possessed not only sins but also virtues. If, however, the deceased had no virtues at all, that attempt were useless . . .

It is not fitting that the world to come be granted one who puts forth no effort for it. This only is the sense in which charity avails after death. See Jer. 8.1, Ezek. 32.27, Lev. 26.40, Ps. 109.14.

35, 170

There was once a saintly man accustomed to pledge charity in behalf of his deceased kindred, later extending the practice to pledges in behalf of all the deceased. That man was asked: "Why dost thou do this?" He replied: "There might be among them someone by whose goodness I have benefited. I would not be an ingrate. Perhaps advantages come to me, even now, because of some such person."

Thou mightest say: "A sin offering ceases to be valid after the one who was to have brought it has died."⁷¹ The purpose of a sin offering is that of shielding against afflictions; but the sacrificiant has died (and is therefore no longer subject to affliction). Moreover, atonement is effected by death itself."

(The reply to this is) that the charity which people give (in behalf of the deceased) resembles the heifer of the broken neck (Deut. 21.4) which is said to atone retroactively, its efficacy reaching as far back as those who came forth out of Egypt.

One might ask: "How can the deceased be benefited? Can a father, through his alms, ransom a son who has done wickedly?" (Cf. Ps. 49.8).

(The reply is:) We find that, if one has pledged a burnt offering, his son may bring that offering after the pledger's death. We further find that whatever applies to burnt offerings applies also to benevolence. The one, like the other, is subject to vow and subject to voluntary giving. Still, the resemblance is less than complete, inasmuch as the son may not bring, as a burnt

⁷¹ That is, the animal which was to have been sacrificed as a sin-offering goes on living and eventually dies in the ordinary non-sacrificial manner. This sin offering is not to be confused with the burnt offering mentioned a few sentences further down.

offering in the father's behalf, an animal which the father himself has not designated for that purpose . . .

What doth it profit one in yonder world if, during his lifetime, he did nothing (benevolent) and gave no worthy directions, the only thing that happened being what, after his decease, his sons do in his behalf?

There is, however, this point of difference: if the deceased lacked merits, no amount of charity will do him any good. But if, along with his sins, he does have merits; if, because of some iniquities, he be excluded from Paradise or be subject to penalties in Gehenna or to wearisome wanderings over thorn strewn paths or exposed to the jeers of hostile angels: or if he be a righteous person who, because of some shortcoming, is not admitted to the compartment of the righteous in heaven; in such case, there is advantage if prayer be offered and alms be rendered in behalf of the deceased . . .

. . . To one who, during his lifetime, has issued directions regarding steps to be taken after his death, as Moses directed Joshua or David directed Solomon, Scripture assigns commendation as it does to Moses and to David.

79, 623

A window or other form of opening abuts on a public thoroughfare. Within the house are treasures of gold and of silver. A man, in that house, wishing to perform an act of charity, turns aside to take something from his purse; whereupon those seeing him come to suspect that he is passing some of the silver through the window. The man is aware of that mistrust. Is it permissible for him to exonerate himself by saying: "I am performing an act of charity," or is saying that forbidden on the grounds that he would appear to be boasting about his benevolence and that boastfulness is worse than undergoing suspicion?

112, 181

A man who had desecrated the Sabbath by carrying money came to a sage and asked to be shown the way of repentance. The sage counseled: "Take that money or its equivalent and distrib-

ute it among deserving people who are ashamed to accept charity." When the man declined to do so, the sage refused to call it repentance.

127, 656

There was a certain upright but irascible man who, when people would quarrel with him would, instead of replying, pour out imprecations. When his rage had abated, the man would suffer remorse. The man went to a sage and asked: "What shall I do to avoid calling down on people those maledictions?" The sage replied: "Take it upon thyself to say, after cursing or imprecating: 'May that which I have invoked upon him come upon me.' Or, before thou cursest or imprecatest, say: 'May that which I am about to invoke upon him come upon me.' Then wilt thou not curse and not imprecate."

But the man was unwilling to follow that course. Instead, he took it upon himself that, every time he cursed or imprecated, he would give so and so much to charity. The knowledge of the monetary cost tended to keep him from those outbreaks. In addition, this was, for him, an atonement. For charity, it was a source of profit.

137, 665

Acting in accordance with his own views, Samuel compensated a maidservant for the shame he had caused her (in the process of inspecting her person). Although she was his maidservant and under his jurisdiction, he had no right to shame her. It was forbidden to shame her. It is forbidden to shame a manservant or a maidservant or the child of a servant or to put them to needless discomfort.

If the servant carries out the master's wishes, the master should forbear to say: "Thou hast not done well," thus calling the good evil and the evil good. Such a master is an ingrate and ingratitude is a trait than which none is more reprehensible.

138, 666

It is unlawful to treat servants . . . harshly when they do no wrong or to put them to needless trouble. On the eve of the

Sabbath or of a Holy Day, one must see to it that they get home before dark. The same applies when they have to be in dangerous places.

139, 667

"A righteous man regardeth the life of his beast" (Prov. 12.10), forbearing to trouble it when it is sick. When the time arrives for it to give birth, he spares it exertion. How much the more (will he be thus considerate) of his maidservant!

141, 668

Should a man who possesses faithful slaves, male or female, become impoverished, let him not sell them to any heartless person who, in his cruelty, might unwarrantably chastise them.

273, 1171

If fathers direct their sons to do certain things after the fathers' death, the sons' performances count as if the fathers themselves have wrought those deeds. On Deut. 21.8, our sages have based the practice of pledging charity for the good of the deceased.

We find that the dead pray for their offspring. In Ex. 16.4, "when the layer of dew had gone up" means the prayer arising from those who lie (*shikbat*) in the grave.⁷² Reciprocally do benefits go to the dead, when the living pray for the dead and render charity. Charity delivers from death (Prov. 11.4) in this world and from death in the world to come; witness the case of Samuel who made supplication for the sake of Levi.⁷³ Even more effective if, in behalf of the deceased, the living give alms!

Wherein now lies the advantage of prayer and the advantage of charity? There is advantage for the deceased who has not only sins but also virtues. Yet, if there be no virtues at all, the advantage does not arise.

⁷² This is based on *Yalkut* to Ex. 16.4 and attempts to bring in the word שכבת. The word חפלה is a gloss explaining פלפול.

⁷³ The reference is to Ber. 18B/41 ff. These notes will supply such references only at a few points. Wistinetzki's annotations cover the ground extensively.

333, 734

There was an ailing old man so impoverished that he possessed naught. This aged man requested that, after his death, his prayer-shawl be given a certain poor upright individual. People counseled that it were better to retain the prayer-shawl for the owner's burial. The old man answered: "Since that poor person lacks the means to purchase a prayer-shawl, it were better to give him mine because, in the grave, I shall pronounce no benedictions over it, but he will pronounce a benediction over it daily."

337, 738

Excess of money collected for the ransoming of captives shall go to captives. Excess of money collected for some individual captive shall go to that captive . . . Excess of money collected for the poor shall go to the poor. Excess of money collected for some poor individual shall go to that individual. Excess of money collected for the burial of the dead shall go for the burial of the dead. Excess of money collected for the burial of some individual shall go to that individual's heirs. Or let the excess be laid aside until the coming of Elijah. R. Nathan says: "With the excess of money collected for the burial of some individual, a monument shall be erected over his grave."⁷⁴

337, 739

If there be a surplus to the sum collected to defray the cost of someone's marriage feast, that surplus shall be given to some other poor person, because the gifts were tendered only for the purpose of meeting a particular need.

356, 241

Those who give to the living in behalf of the dead should make the fact known in order that the recipients might pray for the dead. Thus did Moses pray over the remains of Judah (Deut. 33.7).

⁷⁴ The passage is a quotation from Shek. II, 5.

It is likewise necessary that one should pray for the living if one derives assistance from them. According to Ps. 72.15, Solomon would give a poor person some of the gold of Sheba and the poor person would pray for him and thus Solomon survived. Applicable here is also Deut. 24.13 and Job 31.20.

357, 242

If someone benefits from money bestowed to commemorate the soul of a departed one, it is necessary for those who have been benefited to say, during the year beginning with the demise: " 'God is compassionate. May He forgive iniquity' in consideration of the benefit which I derive because of So-and-so. May that one's sins be atoned for and may his soul abide in the happiness which belongs to the lot of the righteous; yes, may it abide in the Heavenly good vouchsafed the donor and rendered in behalf of the deceased.⁷⁵ And may the departed spirit find rest in the portion of the upright." Afterward let the recipient recite the prayer beginning: "He is compassionate. May He forgive iniquity, etc."

When the prayer is for a woman, one should use pronouns in the feminine. If one and one's entire household have received the benefit, the wording should be: "For the benefit conferred upon *us* in behalf of So-and-so."

478

There was a certain man who, in a time of abundance, remarked: "Indeed, I possess a large supply of produce. But what is the good of it? There prevails a general abundance. If I need two shoes, I have to sell a bushel⁷⁶ of produce in order to purchase those shoes. Were produce scarce and prices high, I should be a wealthy

⁷⁵ In 357 לו refers to the donor and בערו to the deceased.

⁷⁶ This English word will convey the import of the Hebrew word whether the measure involved is or is not identical with our "bushel." For a similar reason we have translated ליטרא pound" (911, 914, 1713, 1715) and פשוט "penny" (911, 1713).

man; because I have an abundance of produce in my fields. But what is the advantage if it sells cheap?"

That man was told: "Since it is thy design that the world should suffer, perhaps by harvest time, thou wilt not be here." And so it was. Before harvest arrived, the man was dead.

Therefore let not a person seek, to his own advantage, that which will injure others. Anyone who strives for the world's advantage and does not put his own advantage ahead of the world's advantage will find that even his own advantage is furthered . . .

Lev. 19.18 means that, if thou art wealthy and hast much produce and much wine, thou shalt pray, with all thy heart, for general abundance. Better that the advantage of the many be promoted than thine own. Yearn not for something bad. As an example, if Reuben desires the daughter of Simeon, let not Reuben say: "I know that Simeon will not give me his daughter. Would that he were poor, then would he give her to me."

Let not a man pursue his own advantage to others' detriment. If produce or wine or anything else is brought from a certain (outside) place, and the resident rich desire an arrangement which will keep people from patronizing those outsiders, so that those resident rich might sell their own goods at high prices; or if those rich long to impose an import tax so disadvantageous to the poor — with such an attempt, anyone who shrinks from sin should have nothing to do.

586

If thou seest two deserving individuals⁷⁷ to one of whom people give aid while, to the other, they do not give, do thou help the one whom other people do not help and thus obtain a reward equal to that of all of those others.

Since both needy persons are deserving, why is it that one of them fails to receive people's succor? It may have been that his

⁷⁷ No. 586, at the outset, contemplates two persons both of whom are deserving. It terminates with a distinction between deserving and undeserving as in 913.

ancestral fathers and ancestral mothers were not prompt enough at assisting the poor. Or that unfavored person may have been born under such a star that, even though he be deserving, people will not help him. Despite his many complaints, people will not help him.

Sometimes that condition is due to the wrongdoing of his father and his mother who may have closed their ears to the cry of the needy. See Ps. 109.14, 12 and Prov. 21.13. When Prov. 21.13 says: "He also shall cry but shall not be answered," that includes the erring person's children. There were times when those children may have sinned, and he may have failed to bring them back into the right way; although he had the power to bring them back, for they would have accepted his reproof.

Sometimes the discrimination is due to the iniquity of a whole generation, for which retribution is visited on an entire city. It is Divinely contrived that they of that city should give much to the undeserving and little to the deserving, with consequent loss of the merit which might shield those givers against punishments decreed and punishments about to be decreed.

587

There was once a saintly man whom people would invite to be the guest of honor at circumcisions and to be best man at weddings. To those inviting him, he would say: "It were better for you to acquire additional friends by making others besides myself fond of you. I shall deem it as if you had honored me personally."

People would reply: "But why withdraw thyself from a meritorious act?" He would answer: "I shall receive a goodly reward for acquiring friends in behalf of someone else and also for shunning personal glory. Moreover, the poor will benefit from those others more than from me.⁷⁸ Were I to be guest of honor at the circumcision, I should be robbing the poor of other people's gifts . . . A meritorious act which others do not seek to perform, do thou seek to perform."

⁷⁸ This is translated according to an emendation supplied by Wistinetzki.

616

Of two wine dealers, one was rich and one was poor. The poor one sold inferior wine for the Sabbath eve, while the rich one sold wine of a better quality. A certain Jew remarked: "I shall purchase wine from the poor one and shall induce others to do likewise. Thus I shall achieve merit in the poor man's sales."

His comrade replied: "I shall not be recreant to the joy of the Sabbath. To honor the Sabbath, it were best to purchase wine of the choicest kind and thus to fulfill Isa. 58.13."

620, 862

"All the days of the poor are evil" (Prov. 15.15), even his Sabbaths and sacred days, owing to the change of regimen.

629 is the same as 112.

630

A certain saintly man loaded his wagon with garments, but when he reached the city in which they were to be sold, his wagon broke down in front of an inn. He sanctified the Sabbath in front of that house.

A troop of marauders came to that place and seized everything that was in the people's abodes. Wherefore that Jewish wagoner repaired his wagon on the night of the Sabbath. He attached horses to the wagon to get it out of the city; although a royal messenger had arrived proclaiming that the despoilers should take nothing from the Jews.

When that Jewish wagoner got home, he went to a sage to be instructed how to obtain remission of his sin. The sage said: "Fill the wagon with garments of the same quantity. Put thy hand on the ground and let a wheel pass over thy hand. Then give to charity that which thou receivest when the garments are sold.

"Or pay to have books copied, books such as the Pentateuch,

the Prophets, and the Hagiographa. Nor put them all into one binding so that (only)⁷⁹ one or two can read them . . . Let them be read by orphans and by children of the poor, such as can not afford to own a book.

"And if the book be correctly written and of splendid script, say not: 'Those people might spoil it.' Better that a book be not so elegantly written if its elegance keep those who have no other books from reading it. Shouldst thou say: 'If they read it only now and then, its splendor will last,' consider that, if they study from it constantly, that book will endure ten years while, if they do not study from it constantly, it will endure a hundred years or more. Put together those ten years during which they study from it constantly and in the course of which the writing becomes effaced, and those ten years will prove to exceed in value the hundred years or more during which continuous study did not take place.

"Therefore purchase books out of which devout people, poor people, and orphans can learn — books of prayers and holiday prayers, the Gemara and commentaries, each tractate bound separately and each available to any borrower.

"If any money be left over, give it to poor people of honorable descent who are ashamed to accept alms openly."

The penitent asked the sage: "Why dost thou not direct me to transcribe a scroll of the Pentateuch?" The sage answered: "Three or four scrolls suffice for any congregation, including the scrolls for Ḥannukah and for the Sabbath coinciding with the new moon. Those who have already donated scrolls may be people worthier than thou and the copyists more skilled than thou and able to prepare it more exactly according to rule. Those who have already given scrolls will become wroth, and thine will be the transgression. Ponder Prov. 3.5. To do something which others are doing is not an act of such great merit. Thus, if thou come upon a poor person whom all others are helping, give to one whom others are not helping."

⁷⁹ We have been advised to emend by placing אלה before אחר.

669, 874

A certain man, leaving on a journey, told his wife: "On such and such a day, I shall return and be with thee." The woman, knowing the time of her husband's return, prepared for his return by going to the ritual bath.

Her husband thereupon said to her: "Since thou didst bathe in anticipation of my return, I shall present thee with a gold piece with which to buy a frock."

The woman replied: "Allow me, with that gold piece, to purchase a book or to hire a scribe to copy a book for lending to students, enabling them to pursue their studies."

Subsequently the woman became pregnant and gave birth to a boy. While all of the brothers of the boy were devoid of learning, that boy himself was the exception.

670, 873

An excellent woman once had a miserly husband who was unwilling to give charity or to acquire books (for charitable use). When the time came for her ritual bath (indispensable before coitus) the woman refused to take the bath. The husband asked: "Why dost thou not bathe?"

The woman answered: "I shall bathe only if thou purchase books for charitable use." The husband was unwilling to do so; but the woman refused to go to bath except her husband purchase books and devote them to charitable purposes.

The husband complained to a wise man who said to the husband: "Blessed is she for having brought upon thee pressure to perform a worthy deed. Any other way of constraining thee she knows not."

To the wife, the wise man said: "If thou canst be effective in matters related to his doing good, such tactics are commendable. But, when it comes to disputes between him and thee as regards sexual intercourse, do not thwart his wishes, lest he indulge in sinful imaginings and lest thou keep thyself from becoming pregnant and lest thou aggravate his wrath."

671

There will be an equalizing of portions in the hereafter. Indigent Jewish people, for instance, go forth against the enemies to fight the wars of the Lord, such as the wars of King David or of Judah Maccabee or of Joab, the son of Zeruiah, warriors all. See II Sam. 10.12. While he who goes forth to battle may lack a coat of mail or a helmet or other military equipment, there may be someone who lends those objects to those who do the fighting.

Recall how David allowed those who remained with the baggage a portion like that allocated to those who took part in the fray. All the more, they who supply others with free military equipment to protect the wearers from death — with appurtenances, that is, which shield the wearers against the weapons of the foe — shall they not have a share, along with the fighters, in the world to come?

Similarly the portion of those who lend books for sacred study shall be like the portion of those who study. The portion of those who pay teachers to instruct the poor shall be like the portion of those who study. The portion of those who, in the name of Heaven, nurture and maintain students shall be like the portion of those who study.

672, 868

He who transcribes books for lending should make a separate binding for each tractate, as they do in Babylonia. If one puts an entire section into one binding, how can one lend to someone who needs not more than one of the tractates? In this country, where it is customary to put an entire section into one binding, should it become necessary at the school to consult just one of the tractates, how can a person supply just that particular tractate? For purposes of lending, it is best to bind each tractate separately.

673, 869

A certain saintly man died leaving numerous books. When his heirs arrived, they sold those books, and that was something

which various good people bemoaned in the presence of the heirs who had done the selling.

A wise man, living at that place, made this comment: "Do not grieve. I shall tell you what was the sin which caused those books to leave the heirs' possession. The owner refused to lend his books. He would say: 'I am old. If people handle those books, the writing will become so effaced that I shall be unable to make it out.'

"Such thoughts should be avoided. It were better for a man that people should gain knowledge from his books even at the cost of some erasure than that the books remain put away where no one can learn from them. As for what is said (B. M. 29B/20)⁸⁰ to the effect that one to whom books are entrusted is not at liberty to peruse them, that applies only when books are entrusted by an ordinary person. Saintly persons go generously beyond the strict letter of the law."

674, 869

If an upright saintly person entrusts books to another saintly person, the owner of the books shall say to him to whom he entrusts them: "To whom dost thou lend thine own books? My books also mayest thou lend to those same people, if those people have need of them."

Should the owner fail to say this, then let the one to whom the books have been entrusted say to the owner: "(I accept charge of these books) with the understanding that I may lend them to those to whom I would lend my own books if I had any; thus going generously beyond the strict letter of the law."

⁸⁰ What B. M. 29B/20 says is that one to whom a *Sefer Torah* is entrusted should open it once a year and read from it not in order to use it for his own purposes but in order to keep it from deteriorating. The restriction applies to all books, but specific mention is made of a *Sefer Torah* because one might think that a *Sefer Torah* constitutes an exception, considering the merit of reading from it.

675, 870

If Jacob has two sons one of whom lends his books unwillingly and another of whom lends his books willingly, it were best for Jacob to leave his books to the latter. That will benefit Jacob's own soul.

676, 871

A certain man had books which he would lend to people for purposes of study. That man gave the following directions to his sons: "Beware of any contention with people, for you will be hindered from lending books to those with whom you are at odds. If you suspect that people will not return the books, take a pledge from them to prevent their making false claims. Lend books to those who pursue study for its own sake. Lend to the poor sooner than to the wealthy.

677, 871

"If thou seest books getting burnt, know that it is because those books have been unrighteously acquired by their owner or by the ancestors of their owner or because he refused to lend them to people who desired them for purposes of study or because, at the very outset, the writing of them was prompted by utilitarian motives."

678, 872

Reuben had lent a book to Simeon. Hearing of this, Levi besought Reuben: "Do thou perform the good act of lending that book to me, because I shall study from it regularly day by day."

Now Reuben had lent Simeon the book with the understanding that, every day, Simeon would study therein. Reuben had said: "Since Levi seeks the book to study therein regularly and Simeon seeks it to study therein regularly, it were better that I lend it to Simeon who will steadily keep up the practice."

However, Simeon, being busy, studied therein not daily but only a day or two every week. That was where Simeon did wrong — not to study regularly. Had Reuben known previously that Simeon would study from the book only now and then, Reuben would have lent his book to Levi who would have studied without missing a day.

763, 947

There was a man who would go over *their studies*⁸¹ with the children of the poor. He would go to them *and rouse them from their sleep*, and would thus tutor them three times a day.

765

For performing meritorious deeds such as others do not perform, a person shall be doubly rewarded . . .

If Reuben be rich and unable to learn because his mind is slow at comprehending and because he readily forgets, while Simeon, his brother, is apt at the Torah; and if Simeon says to Reuben: "Let me have some money that I might engage in business at a profit," it were a meritorious act of Reuben not to put the money in Simeon's hands, diverting him from the pursuit of sacred lore; assuming, of course, that Reuben is willing to provide Simeon with maintenance.

773, 951

"Better is the end of a thing than the beginning thereof" (Eccl. 7.8). This refers to foresight. There was a certain poor man who was unwilling to accept the assistance which the community wished to grant him out of the charity fund. Said he: "Rather the hardship of peddling from town to town than dependency upon others!"

A sage remarked: "If thy travels bring thee on devious roads, thou wilt be taken captive and the community will have to furnish the ransom."

But the man paid no heed. He went and was captured and

⁸¹ The italicized parts are in Bologna 947, not in Parma 763.

the community had to ransom him. Said the sage: "For how many years couldst thou have been maintained for that which thy ransom cost! And now the community has to ransom thee as well as support thee."

"Better is the end of a thing than the beginning thereof." Had things been well in the beginning, they would have been well in the end. At the beginning, the acceptance of charity was deemed wrong. Yet, had the man accepted the charity, he would not have become a captive.

808

In Prov. 28, verses 8 and 9 are conjoined in order to bring out that a man may not say: "I shall charge interest and then give it to the administrators of charity." If one would have compassion on the poor, it is best to charge no interest at all (see Lev. 25.37).

Interest is also called *Tarbit* which signifies that the interest charger will not live in the resurrection but will remain dead. This is stated in Ezek. 18.13. The initial letters of *Marbit* in Lev. 25.37 and of *Tarbit* in Ezek. 18.13, when combined give the word *Met* (dead). Nor let anyone say: "I will charge interest and give it to students of the Torah."

In the word *Betarbit* (Prov. 28.8), the superfluous \beth serves to bring out that interest is of two kinds, that charged a Jew and that charged a Gentile by someone who could as well subsist on the income from his fields. Also there is interest negotiated before the loan is made and interest negotiated after the loan is made.

830, 1001

A man in whose house people are accustomed to come and go should not hire himself out to teach children; because people are always entering, and he can not do good work with the children. Nor let a man say: "Inasmuch as I teach children by day, I shall arise early and pursue my own studies." He might fall asleep while teaching the children. And he accepts pay to teach them well.

831, 1001

A man should not go to another's house or to any place where an employee is at work.⁸² For, should the visitor speak to the worker, there would be a slackening of the work to which a certain other person is entitled. Even if that other person, that is to say the employer, notices it, he hesitates to say anything about it either to the worker or to the interrupting visitor.

832, 1002

If a man needs hired workers, let him not reject, for his work, someone who is less muscular in favor of someone more muscular but wicked.

840, 61

Eccl. 4.6 means that a quiet handful which one gives the devout poor who have seen better days is preferable to both hands full of the trouble which ensues when one gives to the unworthy. The latter type of giving is reckoned unto the giver as sin. Whatever one grants such rascals, they spend on harlots and on gluttony. With that kind of giving, one raises up, in the world, rebels against God.

841, 61

Better is a quiet handul, given in a spirit of benevolence and without reproach, than two troubled handfuls given with rebuke, reluctance, and rage.

842, 61

Better is a quiet handful given in the name of Heaven, graciously and willingly — a charitable handful making for quietness of spirit before Him Who weigheth spirits — than two handfuls given with reluctance, rage, unwillingness, and vexation of mind. This is taught in Deut. 15.10.

"Better is a handful of quietness," that is, better that a man succor one person, if his means suffice only for one, than that he

⁸² On No. 831 we follow Bologna 1001 because Parma 831 offers insuperable difficulties.

succor five persons inadequately. Such were "both hands full of trouble." Each recipient suffers lack. If, however, there be others who give to the same persons, then one should aid many. This is taught in Ps. 112.90.

843

Acquiring a Hebrew slave is like acquiring a master over oneself. The slave partakes of that which the master eats and drinks.

Still, a man accustomed to eat dainties and to drink wine should not say: "I refuse to entertain wayfarers because I can not afford to give them the dainties in which I myself indulge." This is taught in Prov. 15.17.

If the householder eats fatted ox, yet despite his wealth, is grudging in his consent to share it, while he does not begrudge the wayfarer a dinner of herbs; it would be well for him so to arrange that he does not consume those dainties in the presence of the herb-consuming strangers; to this extent, meeting the proviso "where love is."

But, if that be impossible, it were better for the householder to partake of dainties in the wayfarer's presence, while the wayfarer, despite the householder's wealth, eats herbs — better this than to drive wayfarers from the house entirely. Better to receive wayfarers and to give them coarse food and nothing but water to drink — better this than to repel them altogether.

If, despite his wealth, the householder is unwilling to share even bread and water, let him nevertheless receive the wayfarers into his premises. Let him say: "Provide thine own food and other necessities."

However, if those wayfarers be evil persons and there be women in the house and therefore reason to fear enticement into sin, then the rule to follow is that of Prov. 22.10, also that of Eccl. Rab. V, 10 (Yalḳuṭ Eccl. 972), "To him who is evil, forbear to do good."

844, 315

If a son notices that his father is niggardly, never giving to the poor, and the son knows that, were he to ask his father to

give, the father would refuse; then may the son beseech the father for an ampler allowance from which the son may thereupon aid the needy; assuming, of course, that the father has wealth but is unwilling to be generous. The father retains the impression that the son pockets the entire allowance, while the son gives, as it were, from that which is his own.

Similarly the wife and the husband. If the husband, while closefisted in his benevolences, grants the wife an allowance to use as she wishes, let the wife, taking what the husband allots her, donate to charity. Thus did Abigail when she succored David.

845, 315

If a wayfarer notices that he is burdensome to his host or that the host, though wealthy, entertains without graciousness or that the host shows graciousness only because ashamed to do otherwise; or if the host be without means, especially if he be a recipient of alms granted by the community; and if such a wayfarer, after finding a company in which he could continue his journey, nevertheless tarries for the sake of some small gain, inconsiderate of the host's expenditures — such a wayfarer is due to give, before Heaven, reckoning for his conduct.

How much the more does this apply to one who is under no compulsion to travel but who, while merely on business, sojourns in a Jewish home, consumes the householder's supplies, and stays and stays and stays!

How much further does this apply to one who exhibits that disregard for another's expenditures, though the visit to the place be nothing but a jaunt!

846

Let a man who sojourns with a poor person consume his own supplies.⁸³ But one should not defray his own expenses if he sojourns with a person of wealth. If a guest defrays his own

⁸³ The first יחביש שזה מוציא משל עצמו is a dittography, irrelevant and to be deleted.

expenses, a wealthy host is shamed. The host would have to fear people's criticism.

Out of shame, the rich host might say: "Do not meet that expense." But his heart is not in the request. He is prompted by shame and by nothing except shame.

847

Prov. 25.16 refers to a wayfarer who comes to a home and osjourns there, honorably received and served with luxuries. In view of the pleasant things done for him, the wayfarer tarries. Says the host: "It were better than I did the opposite of this. That would induce him to leave. If I continue to treat him well, he will never go." That is the teaching of Prov. 25.16 of which the import is: hasten to depart.

848, 316

There are certain actions which, while not robbery in a literal sense, are worse than robbery. For example, someone comes to a man and partakes of that man's food when that man, though wealthy and ritually observant, is parsimonious and deterred only by a sense of shame from excluding the stranger from his house and his supplies; or someone comes to the home of a poor person, one of insufficient means, who is ashamed to admit the paucity of his means; such a visit, according to Divine law, is outright robbery.

The Torah forbids interest though a man pay it of his own free will. How much the more illicit is conduct of the kind just mentioned! The Book of Proverbs refers to this in 23.6 and 15.26.

849, 316

To forsake that kind of a sin is hard.

Should the guest offer to pay, the host is ashamed to accept.

R. Phinehas b. Jair declined to accept anything or to benefit by anyone's favors.

850

There is the host who dines with the wayfarer whom he entertains, eating and drinking unhurriedly and partaking in a leisurely manner. The host helps himself frequently to drink, mindful that, as the host does, so does the guest. The host deports himself thus so that the wayfarer may not suspect him of any reluctance.

It is said that every service personally rendered by our father Abraham (Gen. 18.7), God afterward rendered to Abraham's seed. Why did not Abraham give directions to his servants while he himself continued with the cultivation of the Torah? Those services could have been performed by others.

Abraham could not engage in the study of the Torah at the time, because he was ailing from the wound of circumcision. Therefore he went forth to receive and honor wayfarers; like R. Zera who, when wearied of study, would get up and sit at the entrance of the schoolhouse where he would rise deferentially before the Rabbis.

Another view is that Abraham, perceiving the worthiness of the strangers, decided to minister unto them personally. He then ministered by serving a meal as did Moses (in later times) when ministering to the elders. *A propos* this, the Book of Psalms speaks in 119.126.

851

Prov. 22.9 speaks of the kindly eye, not of the grudging eye — not of one who gives liberally for no other reason than that of personal aggrandizement; or one who gives, in evil manner, with reproachings and revilings; or one who detains the needy person with promises when, if the gift were promptly bestowed, the indigent one could be going about his business, proceeding to some other house where something might be granted. Wherefore the Book of Proverbs holds that "such a one will be blessed," that is, he of kindly eye and not one who gives grudgingly.

852, 1024

One should avoid showing mercy to the merciless. One should say: "I shall have to undergo retribution for anything I do in behalf of that deceiver, that robber, that thief." Rather shouldst thou wrest the stolen object from his hands, following Job 29.17.

852, 1025

Like a certain saint who, seeing someone wipe himself with another's shirt, chastised the malefactor until he returned what he had pilfered.

853, 1026

One should show no mercy to one who is merciful toward the merciless or to one who is merciless toward himself or to one who is an ingrate.

An example of the merciless is one who deceives his fellow-men, steals, robs, seduces, misleads, and bears tales.

Merciless toward himself is he who squanders his money, spending it needlessly and refusing to listen when counseled: "Stop spending thy money on useless things"; likewise one who, having lost at gambling, implores: "Have mercy on me lest the winner put me to shame and confusion." Better to shame a gambler than to aid transgressors.

An ingrate is one upon whom someone has bestowed something and who then tells people: "He gives me what he would otherwise throw to the dogs." Of course, that complainer lies when he puts a reproachful interpretation upon the good which has been done for him. That ingrate says not a word while he enjoys the benefits but, when he ceases to feel benefited, he becomes his benefactor's foe. Many favors may have been shown him. And yet it happens that, if one small thing occurs which he dislikes, he forgets all of the favors because of that small matter. He displays no appreciation. And whoso fails to appreciate

one's benefactor, even when the benefactor is not present,⁸⁴ fails to bless God for having provided that which the benefactor conferred. Of such, Isaiah speaks in 27.11.

854, 1027

"If thine enemy be hungry, give him bread to eat" (Prov. 25.21) but if (in previous days of wealth) a person was utterly grudging toward the poor, never giving charity and never letting anyone else have any benefit from his money; above all, if that person be one who robs people: then Psalm 109.12 applies: "Neither let there be any to be gracious unto his fatherless children." No graciousness toward his fatherless children, how much the less toward that man himself!

855

Since the Torah makes lending obligatory, why does Ex. 22.24 say "*If* thou lend money?" "If" stands for the optional.

The passage refers to one who is an imposter and who fails to repay. That person's means may be ample; yet he pretends to be poor. Food may be his even if money be lacking.

Such a one seeks to carry on business, but gives his children nothing to eat. He is prone to indulge in drink, but his children lack nourishment. He may even patronize a harlot or pocket dishonest gain.

One should give such a person victuals but should not extend him a loan; though it humiliate him that, week by week, this is the kind of succor allowed him. That he suffer shame is proper, because he is unworthy. Being unworthy, he would squander what people lend him or give him. He would spend it for something other than the maintenance of his home.

If his wife be worthy, let the assistance be handed over to her or let it be entrusted to any other worthy members of his household.

⁸⁴ Bologna 1026 has: whoso fails to appreciate all of his benefactors including those who are not present.

856

According to Ex. 22.24, if one knows that the borrower though able to repay, will fail to do so, one is not obligated to grant him a loan. Similarly if, able to repay, he does so only after much wrangling or after making it necessary, in order to recover the amount, to keep after him for months; to such a one the saying applies: "To him who is evil, forbear to do good."

857, 317

If there be a righteous person and, at the same time, a wicked person, such as a glutton or a drunkard, in need of charitable aid, and thy means suffice not to help both of them and if, furthermore, the wicked one threatens that if thou give him naught, he will turn apostate or commit some other transgression short of murder, grant aid to the righteous and let the wicked go to Hell.

But, if the wicked be likely to kill someone, grant him alms, so that no innocent person might be slain. This is the import of Prov. 13.23.

858, 318

There was one who besought: "Give me aid, because I am poor," though he was reputed to possess means. That individual pretended to be ill and asked the precentor to pray for his recovery. A wise man counseled: "Since he says that he is ill and in need of prayer, let it so be."

Not more than a few days elapsed before real afflictions and severe ones came upon that pretender.

859, 318

There is a saying that one who accepts charity when not in actual need will really fall into need ere he die.

860, 318

The story is told of a certain learned man who required no charity but who went about appealing: "Help me, I am in need." That man used for himself not a farthing that was given him. He passed it on to the deserving poor.

Had those poor persons themselves sought aid, people would have ignored them. Or had that learned man stated: "There are some poor persons; give me something to pass on to them," people would have refused to give. He decided: "The right thing for me to do is to claim indigence and to undergo humiliation that I might keep the needy alive." To accept alms in this way is permissible.

As to the teaching which forbids the taking of alms if one is not in need,⁸⁵ [Yerushalmi Megillah tells how R. Ḥiyya bar Abba went to Ḥamaz where he was given money for distribution among orphans and widows. Yet he allotted the money to scholars.⁸⁶ Did he have to make good that diverted amount?⁸⁷

= Said R. Jacob bar Aḥa, R. Yisa, and R. Lazarus, in the name of R. Ḥanina: "Any contributed sum may undergo change of designation before it is handed in to the treasurers but, after it has thus been handed in, such change may not occur."=

From this we learn that real charity consists in aiding upright scholars who engage in study for its own sake.]

R. Jacob bar Isi and R. Isaac bar Naḥman, serving as almoners, would give a *denarius* to R. Ḥama, the father of R. Oshayah, which he would pass on to others. People would stigmatize R. Zechariah, the son-in-law of R. Levi, contending that he accepted charity though he was not in need. When R. Zechariah died, it was discovered that he had given to others what he had received in that manner.

All of this, in the Palestinian Talmud, means that it is for-

⁸⁵ The topic, interrupted at this point, resumes at the sentence beginning: R. Jacob b. Isi and R. Isaac b. Naḥman.

⁸⁶ The antecedent of the pronoun in תחתיו is the money that was collected.

⁸⁷ The topic, interrupted at this point, resumes in the sentence beginning: From this we learn. Brackets indicate the interruption in the Parma text. Bars indicate the interruption within the interruption.

bidden to render assistance to one who accepts when not in want but if, for the saving of human life, one submits to the humiliation of receiving alms, while making no personal use of those alms, such a tactic is permitted. This teaching appears in the Palestinian Talmud where it tells of the scholar about whose acceptance of charity people raised a great stir but who was found to have passed it on to the really poor.

861, 1038

Eccl. 6.11a refers to one who raises ornamental birds for their attractiveness. What he thus expends he should have given to the poor.

862, 1037

If a man has a house so substantial that he need not fear its catching fire, he would do well not to build another. Thus would he keep money on hand with which to perform benevolence.

Nor should a man rear synagogues. Let him rather give those sums to the God-fearing who, for its own sake, cultivate the Torah. Said R. Ḥama bar R. Ḥanina to R. Oshayah: "How numerous were the synagogues built by my ancestors!" R. Oshayah replied: "How numerous were the souls destroyed by thine ancestors in that they failed to give those sums to scholars occupied with sacred study!"

863, 579

Prov. 3.9 bids honoring the Lord with "some of thy substance," not with the entire of thy substance. Whoever contributes should not contribute more than one fifth of his possessions.

864, 318

Eccl. 7.16 suggests the story of the man who, though poor and necessitous, declined to accept charity. Said he: "How can I accept since, in so doing, I would be depriving the needy."

That man proceeded to borrow from people who would lend him money at a sharing of the profit half and half, the principal to be returned by a given time. That man obtained loans from numerous persons and then failed to repay. People would lend him money relying upon his devotion to God.⁸⁸ Still he failed to repay. He would remark: "How can I repay when I have not the wherewithall?"

As he continued asking for loans, people got to quoting Psalm 37.21, "The wicked borroweth and payeth not." He would reply: "It is better for me to borrow and to repay, if possible, than to rob the poor by accepting charity." Then people would answer: "Be not righteous overmuch" (Eccl. 7.16).

That man was actually wicked. Why did he borrow when he knew himself to be unsuccessful and without prospect of paying back? The name of Heaven was being desecrated by his conduct. Such a man bolts the door to other borrowers.

865, 1040

If a person has children and knows not how to provide for them, as he is Divinely commanded to do, and if, at the same time, that man, by refusing to accept charity, leaves his children indigent and starving, that person is characterized in Eccl. 7.20, "There is not a righteous man upon earth, that doeth good, and sinneth not." That person commits iniquity such as would not obtain if he accepted aid. Reproof for him lies in Prov. 11.17, "He that is cruel troubleth his own flesh." That person acts cruelly. He is cruel toward those whom he is obligated to treat with compassion.

866, 1041

Prov. 22.16 reads: "One may oppress the poor, yet will their gain increase; one may give to the rich, yet will want come."

Should a rich landowner engage a field laborer to work for

⁸⁸ Hence the "desecration of the name of Heaven" mentioned a few sentences later.

a half or a third or a fourth of the product (a substandard allowance), let no one say: "Because the field laborer is poor, I shall try to get the rich landowner to grant him the allowance that is standard." The result might be that the rich landowner will take the job away from that field laborer and transfer it to someone else.

It may chance that one gives to a person who, though wealthy in one place, is poor in another, a distant, place; for instance, while one's wealth is in Palestine, one may reside outside of Palestine.⁸⁹ That word "yet" ('*Ak*) in Prov. 22.16b excludes (a person wealthy, in that sense, from the disapproval which rests upon giving to the wealthy). Similarly, if a rich man seeks contributions which, once received, he transmits to the poor, that word '*Ak* withdraws disapproval from such a case likewise.

Another Suggested Rendering of 866, 1041

Should a rich landowner engage a field laborer to work for a half or a third or a fourth of the product (an amount higher than customary), let no one say: "Since the field laborer is poor anyhow, I shall try to get the rich landowner to grant him no more than the customary allowance and to give to another poor person that of which the field laborer is thus deprived."

867, 1042

A person may decline to accept benevolence and yet, in so doing, commit sin. An example would be the individual who boasted: "Never have I consented to derive any benefit from charity."

A wise man said to him: "What thou didst was only ostentation. Thou didst impose thyself as a burden upon some householder who happened to show thee courtesy. Thou didst stretch out thy stay and didst make of thyself a nuisance. He was ashamed to tell thee to go, as thou wast well aware.

⁸⁹ The only connection between this and the sentences preceding is the common use of Prov. 22.16.

"And how often didst thou send to So-and-so or to So-and-so: 'Give me this, give me that.' Thou wouldst have done better to take aid from the administrator of charity. That would not have been like an act of robbery on thy part.

"Consider that thy benefactor already gives to the fund. It is not robbery if a needy person obtains benefits from that source. But when a man benefits from an individual contrary to the individual's wishes, it is as if robbery were his means of subsistence."

868, 319

If one in need of assistance can obtain aid from the community, let him not ask and beg of individuals. There is no vexation in giving from a fund but, for an individual, it may prove irritating to yield even a small coin. It is like squeezing blood.

When Raba used pressure to obtain a contribution, he was dealing with a person of wealth.

It is improper that the applicant himself do the soliciting.

After a grant has been allowed him, he should trouble people no further although, prior to such grant, he may dwell upon his poverty and his need.⁹⁰

869

What is collected for Purim must be used for Purim. What is collected in a given city must be used for that city.

There is no need of being punctilious about Purim collections. Calves are purchased, slaughtered, and eaten, and the excess goes into the fund for benevolence.

R. Eleazar, however, said: "Not so much as a shoestrap may a needy person obtain with money contributed for the purpose of celebrating Purim." R. Eleazar, quoting R. Meir, said: "If one lends another money with which to purchase produce, the borrower is forbidden (to purchase receptacles and *vice versa*),⁹¹ for he would thus be deceiving the lender." R. Eleazar, again

⁹⁰ The items in 868 are somewhat disconnected.

⁹¹ The parenthetical material is editorially supplied by Wistinetzki.

quoting R. Meir, said: "If one lends another money with which to purchase a shirt, the borrower shall not purchase a cloak, for he would thus be deceiving the lender."

870

If a community notices that wayfarers are accustomed to enter the house of some good Jewish person who happens to be wealthy and, at the same time, so hospitable to wayfarers that they continually stop at his place; and if, though that man loses his wealth, wayfarers still keep on coming to his home; then the leading people of the city should, on the quiet, say to that householder: "We know that thou hast not the means to succor wayfarers but, since they persist in coming to thee, accept from the charity fund, the amount needed for their food and drink."

Lest the wayfarers regard him as the one to thank, he can say to them as they arrive: "This entertainment is provided by the community."

But if the wayfarers, knowing that he entertains them at community expense, annoy him by refusing to leave promptly (as they would do) if they thought that he was dining them at his own expense; or if the wayfarers enter his house under the impression that he is dining them at his own expense while they would feel humiliated if they knew it was at community expense — then it were better not to tell them the facts.

Although the wayfarers believe that the entertainment is at the host's expense, such is not an act of deception, for the mistake arises spontaneously in their minds.

And yet, if the host be a devout poor person who has lost his former wealth but is ashamed to admit: "I do my entertaining at the expense of the community," he still resembles the one who says: "Aid me" and then passes on to the needy that which is given him.

871

If a man is accustomed to give charity to a poor person and gives so generously that the poor person realizes the benefactor's inability to give more; and if the poor person knows that, were

not he the recipient, there would be no other recipient, because the giver lacks the means and gives only out of shame; then shall the poor person accept nothing further from that benefactor.

If the poor person is not aware of (the benefactor's financial plight), let the benefactor communicate the fact through some third party so that the benefactor be not embarrassed in the poor person's presence.

Charity solicitors should not ask anything of such a benefactor, seeing that he is unable to give and that he gives only from a sense of shame. (Solicitors who seek contributions from such a benefactor) would be committing iniquity.

872

A wayfarer who comes to a place of hospitality should leave a small amount of food on his plate to indicate that he received more than enough to satisfy. Were he to consume the food entirely, people might say: "Since he ate all of it, they must have given him too little."

However, if he is told: "Leave nothing on thy plate. What good does it do? Thou only enablest the dogs to eat the leftovers," then shall the wayfarer leave naught. In all things, he should follow the host's wishes.

Moreover, he should avoid violating the command, "Thou shalt not destroy" (Deut. 20.19). Let him remember that leavings get thrown on the dump.

873

The story is told of a wayfarer who ignored his host's remarks and, as a consequence, got less and less on his plate. Then the wayfarer complained. A wise man said to him: "The host is right. Thou shouldst not have violated his request. Art thou not expected to act only in his honor?" His "honor" means his wishes.

874

A wayfarer shall not bring along another wayfarer. Thus if Reuben does a good turn for Simeon, let not Simeon say to Reuben: "Because of my affectionate regard for thee, do also a good turn for Levi;" unless Reuben had previously requested Simeon: "Inform me who is in need that I might render him some help."

875

Reuben said to Simeon: "I have the means to assist not two persons but only one. If thou wishest, thou shalt receive my aid." And Simeon did receive Reuben's aid.

Simeon then told Levi, whereupon Levi went to Reuben beseeching, "Succor also me!" Reuben answered: "I can not, because I am already assisting Simeon."

Then Simeon implored Reuben in Levi's behalf. And Reuben did aid Levi but abandoned Simeon. Simeon protested: "Why wilt thou forsake me?"

Reuben answered: "Thou didst keep urging me until I took Levi under my care in thy stead. Thou hadst no compassion on me when I pleaded that, for assistance to Levi, my means did not suffice. My resources were enough to succor one person only. Yet didst thou importune me to help him also. Wherefore I have taken him, in place of thee, under my care." Regarding such, there is a teaching in Prov. 27.14.

876

If a man, entertaining a wayfarer, knows that the wayfarer will have to travel by boat on a river and if the wayfarer be a person of dignity, ashamed to satisfy his natural wants at the sides of the boat where people will see him; let the host forbear to serve foods such, for instance, as milk, which have a loosening effect upon the bowels.⁹²

⁹² Instead of המשולשים, we must read המשלשים.

879, 321

The charity given in the name of Heaven God sows like seed. How is this? Whatever one gives to the poor in the way of money or the equivalent of money or anything that may be helpful to the poor is rated in proportion to the giver's poverty or wealth. For a poor person to give one *Ma'ah* is the same as if a rich person gave many *Ma'ot*.

God sows each of the gifts in Paradise and makes them grow. Thus it is year by year. God gathers these products into His treasure house, choice fruits for the possessor to enjoy in the world to come (Isa. 61.11). Thus does God cause charity to grow, as stated in Deut. 32.34, Ps. 97.11, Hos. 10.12, Cant. 7.14.

Every righteous person who confers a benefit will be rewarded in proportion to that benefit. This accords with the fact that, when a poor person gives a farthing to someone who is still poorer, that is a finer act than when a rich person gives farthings no matter how numerous.

880, 321

Whoso giveth charity in the name of Heaven shall merit looking upon the Shekinah.⁹³ This is based on Deut. 16.16, "Three times a year shall all thy males appear before the Lord, thy God." Instead of "appear before," read "see." Meanwhile the very next verse says: "Every man shall give as he is able." These passages are from the Pentateuch.

A similar thought is in the prophets, Isa. 33.16, 17, and in the Hagiographa, Ps. 17.15.

According to Ps. 17.15b and Lev. 25.36, such a one will live in the resurrection of the dead.

881

There was a man who would entertain virtuous people for a month or two, although that man was not virtuous himself.

⁹³ Bologna 321 reads, at this point: This is written in the Pentateuch, stated a second time in the Prophets, and a third time in the Hagiographa.

It happened, in the course of time, that an offspring of that unrighteous man received, in his home, an offspring of one of those virtuous guests. For the father, now deceased, who had once received a virtuous person in his home, there resulted a beneficent release from Gehenna.

Had that father not entertained a virtuous person once, it would not have been brought Divinely to pass that his offspring got to entertain descendants of that virtuous person.

Provided a man has some modicum of merit, Heaven contrives to grant such opportunity to his seed, and good accrues to the father because of his offspring's virtues. Similarly, if one sins, it comes Divinely to pass that guilt attaches to his seed, for which guilt the father undergoes punishment.

Therefore let a man pray that, though he himself sin, his offspring or his pupils may not sin. He will himself thus escape retribution.

883

If thou wouldst obtain reward, do not, when a wayfarer comes, give with grudging eye, but show him a pleasant countenance.

884, 1035

A kind of charity which may not appear to be charity can be, in the sight of God, charity of a most exalted type. This happens if one purchases, from a poor person, something which he wishes to sell but which people do not care to buy; or if one engages, to work as copyist, some poor person who desires such work but whom people will not hire. There is no loftier benevolence. The poor person copies industriously and thou contrivest to procure him a profit.

But if thou seest a man who can, by study, acquire competence or a scribe who can write, and they refuse to study or to write, the charity which thou givest any such I call not *Zedakah*, charity but, as in Isa. 5.7, *Ze'akah*, an outcry. See also Isa. 27.11.

885

If a poor person and a wealthy person desire to purchase an article which no one but thyself possesses, both offering the same price, knowing that they can thereby reap some gain, it is a scared duty to sell that article to the bidder who is poor that he may, through thine act, profit when he disposes of that article.

886

It is told of a certain man that he had, in his service, a scribe who was a relative and that he paid the scribe many *Peshiṭim* for his work. At the same time, to avoid humiliating the scribe, the man would misrepresent, saying: "I gave thee but a trifle."

It is desirable to avoid inflicting humiliation. Eccl. 12.14 says: "God will bring every work into judgment . . . whether it be good or whether it be evil," charity being the good and humiliation being the evil. That was the man's reason for the above-mentioned action.

887

A man wished to help someone without causing embarrassment. He would pay six coins for preparing a document where others would pay only four. But the copyist made numerous mistakes.

Said a wise man to the benefactor: "There is no merit in that species of charity. Everything he does bristles with blunders. Let thy benevolence toward him be absorbed in other kinds of transactions. Or, invoking a different ingenuity, quote to him Prov. 13.16: 'Every prudent man dealeth with forethought.'"

888, 1039

Whoso has poor but upright relatives and, instead of aiding them, aids other and less worthy people is like one who pays a debt on which he has given no security while neglecting a debt on which he did give security. As taught in Lev. 25.36, one is under prior obligation to one's worthy kindred.

889, 324

There was a wealthy man who, through the charity administrator, accorded charity to the necessitous. That man had a poor brother and other poor relatives. A wise man said to him: "All that thou givest to the charity administrator is (not charity) but an outcry (Isa. 5.7). It were better to give to thy brother and to thine other poor kindred."

The man replied: "I shall give to them." But he did not give to them as he had intended. The reason was that once there had been a very wealthy man who, becoming ill, had directed that his brother be given fifteen *litras* (of the estate). Twenty *litras*, of which the profit was to be shared half and half, were to go to some needy student. The son of a widowed sister was to get ten *litras*. The testator's daughter was to get forty. His wife, then pregnant, was to get half of all of his houses. The expected child was to get one hundred *litras* and the remaining half of all of the houses.

Contentions and dissensions broke out over that money. The wife was unwilling that those sums should be assigned as the husband had directed. She said: "The entire estate does not equal what I brought in my dowry." All of this happened because the man had, during his lifetime, provided for his brethren and kinfolk to the best of his ability.⁹⁴

When it used to be said of him that he was hard and fussy in business, he had, while still in health, asked a wise man what course of conduct would be the equivalent of everything worthy. The wise man had replied: "Thus do: let all thy business dealings be upright. See that the other man gets a little more than that to which he is entitled. With the poor person who comes to thee, enter into deals though his and not thine be the profit of the transaction. If he does business with others, aid him at purchase and sale, everything to be conducted in uprightness. And if the poor person has granted credit in quarters where it is perfectly clear that, because of thy wealth, they would settle with thee (more readily than with him), say to the poor person: 'I shall

⁹⁴ For *מה שהיה יכול*, we must read *היה יכול*.

collect the debt from that individual. Until I do so, I shall advance it to thee.' In all matters of business, deal with people cordially."

890

A certain Jewish man had two impoverished brothers. One, with some scanty means, had a daughter to marry off, but this he could not do without money. If he gave the daughter of his means, he would have nothing left for his own livelihood.

The other poor brother had nothing whatsoever.

The one with the daughter said to the wealthy one: "Brother, give me the wherewithall to marry off my daughter;" while the other poor brother implored: "Brother, sustain me!"

The wealthy one replied: "If I give to one of you, I have not enough left for the other. Following Lev. 25.36, I shall give to the brother who has nothing whatsoever. As for thee, 'Go down a step' (Yeb. 63A/33), 'Manumit thy slave and marry him to thy daughter' " (Pes. 113A/23).

891, 1043

Two different suitors besought Reuben for the hand of his daughter. The two were of the same family, but the one was poor and the other wealthy.

Said Reuben to a wise man: "Counsel me well. I possess naught, but Simeon who is well-to-do wishes my daughter. I am willing to grant her to him, but he declines unless I give him ten pieces of gold. Levi is poor but asks little. Shall I accept Levi? Otherwise I shall have to seek aid of the community. If I go from town to town and collect the ample sum to give Simeon, the couple will be wealthy."

The wise man replied: "Far be it from thee to act as one who robs. The Torah (Deut. 15.8) bids supplying a poor person's needs. It does not command making him wealthy. Better to give thy daughter to Levi who is satisfied with little than to commit this robbery."

892, 1044

If one has possessions in abundance and sons and daughters some of whom are rich and some poor, let him give to a poor one more than to a rich one and to a poor daughter more than to a son if the son be wealthy. Let the father be particularly generous toward the son who is a student of the Torah.

893, 325

If a man has sons for whom he provides, but those sons reject his admonition to occupy themselves with sacred study and with worthy deeds, it were better that the father withdraw his support. Let those sons be harrowed and harassed with toil until they return to the right path. This does not apply, however, if the father sees that depriving them of sustenance will bring about their demoralization.

894

"They buried the bones of Joseph at Shechem" says Josh. 24.32. This was done as an atonement for the ancestors by whom Joseph had been sold. It was also done because Joseph had sustained his brethren. Fittingly the descendants honored him who had shown kindness to their fathers and mothers (Prov. 27.10). With kindness, David requited the seed of Jonathan.

895

In Prov. 27.10, "Thine own friend and thy father's friend do not forsake," the word for "friend" is spelt with a ה. If a man has succored thy father,⁹⁵ do not forsake him but רעה nurture him. This is also the point to I Ki. 2.7. רעה in Prov. 27.10 is spelt with a ה to indicate that if a person has, in friendly manner, succored thy father, do not neglect to return the kindness to him, thy father's nurturer and sustainer.

■ The word פרנס explains שרעהו.

If that person himself be no longer living, requite his sons. Recall how David said: "It were proper to violate Deut. 23.7 that I may send greetings to Hanun, the son of Nahash (II Sam. 10.2) and that I may thus prevent any future stumbling."

In Prov. 27.10, רעה refers to thy father's nurturers,⁹⁶ that is, thy grandfather and grandmother who were thy father's nurturers and sustainers. רעה can mean that thou shalt sustain thy father's mother (taking ה as the sign of the feminine).

896

If two come to thee, at the same time, asking for charity, and thou knowest that, in the house of one of them, there is an infant or an aged person or a sick person, and thou wouldst therefore give him something additional, do not hand over that extra amount in the presence of the other applicant, lest the latter become suspicious of thee and murmur: "The giver has greater regard for that other one than he has for me," also lest the person (receiving the smaller amount) feel humiliated at being made to appear, in his own eyes, contemptibly inferior to the other.

897

When a man bestows gifts, let him avoid creating jealousy among the recipients. If he wishes to present twenty to one person, ten to another, and thirty to a third, let him not give to one in the presence of the other. And let not the recipients speak about it to one another, seeing that the giver is unwilling to have the one receive his gift while the other is looking on.

898, 1045

If a man comes to a city where gifts to charity are scant and then to another city where they are ample, let him not say: "God bless you with His help. In your city, gifts are generous;

⁹⁶ We must delete אח before אחיך.

in that other city they are paltry," lest the inhabitants of the generous city reduce their gifts.

This refers to the ordinary run of people. There is no objection to apprising exceptionally good people. The righteous give to the deserving (in every event) and, if they diminish their gifts to the unworthy, that need cause no concern. Therefore, if one has been to a certain city where the inhabitants skimp at their gifts to the worthy, let the truth be told to the fine-souled people (in some other city visited) and those fine-souled people will say: "Since the poor (in yonder place) suffer lack, we should help them."

The text of the Parma collection at this point has been pronounced hopelessly mutilated. The Bologna text (1045), much less involved, reads:

This refers to ordinary people. There is no objection to apprising exceptionally good people, since the righteous give to the deserving (in every event). And if the truth is told after one has been to a certain city where the inhabitants skimp at their gifts to the worthy, the fine-souled people (in some other city visited) will say: "Since the poor (in yonder place) suffer lack, we shall help them."

If there be numerous fine people in a city, they shall be truthfully informed when there is little or no need. Were that not told them, they would give a great deal. The excess in the hands of the recipients would be tantamount to robbery.

If a man becomes poor as a result of evil conduct or of losing at dice⁹⁷

899

"Cast thy bread upon the waters" (Eccl. 11.1) means that, when thou comest to greet seafarers, come with food and drink. "Thou shalt find it after many days" means that people are wont to prepare and store food for a given time, intending to stop (where the food is cached). Then a storm or some other happening detains them. Greet those hungry ones with food and drink

⁹⁷ The continuation is in 853.

and with clothes which thou mightest sell them. Such is the thought in Gen. 49.13.

"Cast thy bread upon the waters." The inhabitants of the sloping lands were poor because their fields had been inundated. "Thou shalt find it after many days" applies to the person, impoverished because of his inundated field, who comes to thee and beseeches: "'Cast thy bread upon the waters.' Send food to those inundated ones and do not oblige them to come to thee."

If thou be a bread merchant, (do not oblige them to come to thee but) carry the bread to them who are "upon the waters." Sell to seafarers because sometimes there is no wind to move the ship and the food gets consumed. Hence, in Isa. 21.14, this highly meritorious act enjoined upon those living on the seacoast. Hence also Eccl. 11.1.

In the opening chapters of Leviticus, the letter ך is used not even once in connection with burnt offerings of cattle, of sheep, and of fowl. Nor is there a ך in connection with peace offerings. This is because no benevolence (*Gemilut Ḥasadim*) is involved as it is in connection with meal offerings where the word מַגִּישָׁה ("the groats thereof") with its ך occurs (Lev. 2.16).

That is why, regarding the wife of Onías,⁹⁸ the circle drawer, it is reported that (when she and her husband stood on the roof praying for rain) the clouds gathered on her side first (Ta'an. 23B/28, 29).

The letter ך also occurs in the chapter dealing with sin offerings.

In connection with burnt offerings, there is nothing in the nature of benevolence.⁹⁹ The burnt offering is incinerated entirely. In connection with peace offerings, there is likewise nothing in the nature of benevolence. The meat is consumed by the lay person who proffers the sacrifice. In connection with

⁹⁸ It should be: the wife of Abba Hilkiah, the grandson of Onias. Her prayers for rain were the more efficacious because, while her husband gave the poor coins, the wife gave food which, containing flour, held the substance of the meal offering.

⁹⁹ This is not entirely correct. The priest who officiates at the burnt-offering receives the animal's hide (Lev. 7.8). There are also priestly emoluments in connection with peace offerings (Lev. 7.14, 31-34). See our note 21.

sin-offerings, however, the meat goes to the priests, those who proffer the sacrifice retaining naught. Similarly with meal offerings, the offerings are consumed by the priests, while those who proffer them obtain (nothing but) atonement.

900, 326

Two of R. Ḥanina's disciples went forth to chop wood. A certain astrologer who saw them remarked: "Those two go forth never to return." Presently an aged man approached them beseeching: "Help me. For three days I have tasted not a morsel."

The disciples had one fig cake between them. This they broke in two, giving half to the aged man who, upon eating it, uttered the prayer: "As you have this day preserved my life, may your own lives be this day preserved."

The disciples then proceeded on their way unharmed and got back unharmed. They were noticed by people who had overheard the astrologer's remark. Said those people to the astrologer: "Didst thou not predict that those two were going forth never to return?"

The astrologer replied: "If that is so, I am a liar and my astrology a hoax."

Nevertheless, people proceeded to investigate. They found a snake, half in this one's bundle and half in that one's bundle. They inquired: "What good deed did ye perform this day?"

The incident was then related to the astrologer who exclaimed: "If the God of the Jews is placated by half a fig cake, a man such as I — what can he do?" (Yer. Sab. VI, 9. In Krotschin, 8D/14-19).

900, 1056

From this we learn that one who goeth to a place of danger or to a place of assembly should give, to the poor, bread or anything else of immediate usefulness, as in the case of the above mentioned old man who ate the fig cake. Still, if it humiliates a

person to be given food, let him be given money (Hos. 10.12) — just so long as it is something by which the poor individual is benefited.

901, 327

Ps. 41.2 signifies that, if a man lends a poor person money and then realizes that the borrower is unable to repay; though the borrower be an upright poor person who would willingly repay if he had the means which, for the time being, he does not; then shall the lender, if he sees the borrower walking down the street, take the other side of the street, lest the borrower, thinking: "Now he is going to demand repayment," suffer humiliation even though the creditor does *not* demand repayment. The borrower should not be brought to say in his heart: "The creditor may suspect me of unwillingness to repay when I merely lack the means to repay."

902

A certain man was held captive in a distant land. He said to himself: "How can I contrive to observe the Sabbath?"

So he feigned insanity. Laughingly, children would feed him. On the Sabbath, he stayed off of the streets but continued his scoffing indoors.

After a while, some Jews came to that place in the retinue of a prince. The captive, hearing those Jews speak Hebrew, besought them to get him out of there.

They replied: "Do not address us in Hebrew lest it be recognized that thou art a Jew. Instead, jeer at us and throw mud at us in the prince's presence."

Eventually the visiting Jews addressed their prince: "We beseech thee, put that madman into our custody. We shall remove him from this place. With our own hands, we shall obtain our revenge."

The Jewish captive was accordingly put in their charge. Contemptuously they tied him to the tail of a horse and got him out of town. They presently found, upon inquiry, that he was

versed in sacred lore. Whereupon they besought his pardon for having treated him with disdain; they had done so merely that people should not know he was a Jew.

The man answered: "It is all forgiven," to which the others replied: "We might have ransomed thee with money, yet we treated thee with contempt. We actually pulled out thy hair. Although it was to keep thee from being recognized as a Jew, we stand in need of atonement."

He rejoined: "Applicable to you is Prov. 27.6. You would need no atonement even if I were your father. To the contrary, you merit great reward."

They responded: "We shall present thee with the money which would have been needed to redeem thee." But he refused to accept it.

903, 1055

The story is told of a man who, being poor, went from city to city seeking aid. It happened that the man abounded in learning and in worthy deeds. But he was unwilling to divulge his identity or to reveal any knowledge that he possessed.

People would give him meager sums. And then, after those gifts had been granted, he would discuss scholarly matters with the city's learned.

When people perceived that he brimmed with knowledge, they would greatly augment their gifts. But these the man refused. He would say: "You succored me in accordance with the practice relating to the poor. What you would give to me because of learning, I shall not accept."

904, 328

Prov. 27.2. A person comes to a city where his scholarly attainments are unknown. He remains silent and avoids learned conversation. The result is that people give him small amounts such as they would give any hollow ignoramus.

And yet that newcomer shall not say to the townsfolk: "I am the scholar, So-and-so." Let him rather discuss with them

learned matters and they will, as matter of course, find out what is in him.

But if they heap him with disparagements and he realizes that there is no advantage in answering, because he knows they will not credit his replies, he should not tell them anything. Why should they, because of him, get to act sinfully?

He is, nonetheless, permitted to derive some advantage from his ordinary conversation. For instance, he may, when it rains, enter a synagogue to seek shelter, only if he engages someone in learned discussion.

905, 329

Whoso subsists on charity is forbidden to indulge in luxuries for such would be a reckless use of charity.¹⁰⁰

Someone benefiting from charity given him because he engages in sacred study and in worthy deeds may not bestow what is given him upon anyone else; except it be some worthy person who, like himself, engages in sacred study and in worthy deeds and who also, like himself, is in need.

If people tell the recipient: "We gave to thee with the understanding that thou wouldst not pass it on," then the recipient shall give none of it away. He may give of it not even to someone of superior worthiness. It goes without saying that he may not give of it to someone who is inferior.

906, 329

Said R. Eliezer ben Jacob: "It is not proper to appoint anyone administrator of charity except he be like R. Ḥanina ben Teradyon."¹⁰¹

¹⁰⁰ The translation is based on the comment of Wistinetzki. ליהנות has been taken to mean: to be a giver of charity. Wistinetzki would render: such would be a destroying of charity, meaning perhaps that charity is destroyed when a charitable gift is put to a non-charitable use or perhaps that charity is destroyed when givers are made reluctant to give again. The correctness of our translation is highly doubtful.

¹⁰¹ We must read למנה the *Pi'el*. The passage is a verbatim quotation from B. B. 10B/9, 10. The reference is to 'Ab. Zarah 17B/25-25.

907, 329

If a man is poor and also forgetful, it is inadvisable for him to serve as administrator; because, should he forget¹⁰² (what has been done with the sums entrusted), how would he make good the deficiency?

908, 330

In Num. 32.22, "Ye shall be clear . . . before Israel" does not mean before *all* Israel.

It sometimes happens that an administrator gives to the deserving without the knowledge of anyone except one or two reputable townsmen. Were others apprised of the matter, the recipient would undergo shame. Anyone getting angry at him could use that knowledge to humiliate him. Therefore the administrator gives to the deserving on consultation with one or two respected fellow townsmen.

To the administrator's embarrassment, the rest of the community may show surprise and ask: "How comes it that the charity funds go so fast?" Better to embarrass the administrator than to shame the poor. Were the administrator to explain matters, humiliation would overwhelm the poor recipient.

909, 331

If an administrator hears some rascals say that they have him under suspicion, let him not feel chagrined so long as the worth-while people do not have him under suspicion. "For the fool will speak folly" (Isa. 32.6) and the righteous need not take it to heart.

But if there be many who complain: "We are not satisfied with thee," let him state, before the good people of the community: "Since many are objecting, choose ye a man more in accord with their wishes."

If those excellent people think that the complainers will talk the same way about anyone else, the incumbent should not insist

¹⁰² We must read not כשכח but כי ישכח.

(upon resigning). But should there be someone whom those estimable people may find more acceptable, let the incumbent defer to those worthy people and yield the office to that other one.

910

If unworthy persons suspect the administrator of peculation or of favoritism in the distribution of funds, let him not take it to heart or feel hampered. Even Moses our master did not escape distrust.

If there be devout people in the community, the administrator should say to them: "Let not this prove a detriment to the cause of charity. Let one of you serve as administrator, because I am an object of hatred and people refuse to give to me. Perhaps they will give to you."

But if the only ones in that place willing to take charge of the contributions be such as the God-fearing hold in suspicion, it should not be proposed that such a suspected one do the administering. The (assailed) incumbent should then forbear to say: "I refuse to serve." Abot II,8 applies here: "Where there are no men, strive thou to be a man." Should the management get into the hands of some unsuitable person, there might occur the betrayal of the recipient's identity. Ps. 41.2 also applies here: "Happy is he who is" sufficiently "considerate of the poor" to avert the poor person's humiliation.

911

An act which, though merit producing, wins no Heavenly reward is that of the person of means who, when a sum has been fixed to be raised for charity, exercises his dominating personality in such wise as to make things easier for himself. He does this by saying: "You, So-and-so, give so-and-so much; you, So-and-so, give so-and-so much." Of such a one, the Jewish teachers remark (Abot V,16): "He desires that others should give but will not himself give. His eye is evil as regards what is his own."

The expression, "Greater is the solicitor than the giver" (B. B. 9A/40), applies only to the solicitor who himself gives

first. When such a leader prevails upon the community to declare a levy the violation of which is punishable by excommunication, a levy (say) of a penny per pound (of the donor's possessions), not only do the others contribute, he also contributes.

912, 332

"Greater is the solicitor than the giver" (B. B. 9A 40) refers to one who prevails upon wealthy people to give to some poor and upright individual. If people do not aid the poor person, how will he survive? And who will do any giving unless prevailed upon by someone to do so?

But he who exacts a contribution from somebody with less than enough to live on acts the part of a robber.

However, if one induces a person of wealth to assist a worthy poor person to whom others have already given sufficient, that solicitor, by his urging, commits wrong. The giver should have helped someone who was otherwise without aid.

Suppose that there are two people both of them worthy and both of them in need, one of whom has, in the city in which he lives, those who will maintain him, while the other has not. If the solicitor press his fellow townfolk to assist the indigent one whose needs can be met in his own town and by his own kindred, the persons approached by the solicitor might afterward say: "Since, at thine insistence, we gave to this one, we can not afford to give to that one." The solicitor is then in the position of having seized by robbery what belonged to someone else.

913, 332

Ps. 41.2. If thou seest a worthy person and an unworthy person coming to a city and the unworthy given more than the worthy, this situation has been brought to pass so that the community should, to that extent, be deprived of merit.¹⁰³ It has been Divinely ordained that they should give to the worthy less and, to the unworthy, more.

This turn of events was further induced by the fact that the

¹⁰³ This is explicated in B. K. 16B/43, 44, B. B. 9B/44, 45.

recipient of the smaller amount had, among his ancestors, men and women of wealth who, for the sake of ostentation, would give to an unworthy person from whom they could receive praise while, if relatives or other deserving persons came who might not lavish the praise, the amount given would be lessened. Such an ancestor is being punished according to the principle of "manner for manner." More compassion gets bestowed upon others than upon him and his seed (Ps. 109.2).

914, 1046

The Torah reckons with human nature. Rich and poor alike are commanded to render tithes, heave offerings, and the gifts for the priests. The result is that, when a lay person is poor and the recipient priest wealthy, the poor gives to the rich. How is this justified?

The Torah directs its commands equally to the indigent and to the wealthy, in order to keep the rich person from saying: "I am poor. How can I give to a priest who is well-to-do?" Even a necessitous priest would be told: "Thou art wealthy." That is why the Torah draws no distinctions.

Similarly when the need arises for communal benevolence, even those who are poverty stricken and of scant livelihood are subject to the levy of so and so much per pound on pain of excommunication,¹⁰⁴ despite the impropriety of having the poor meet the needs of the poor. Sometimes the contributor is in greater want than the recipient.

This is done because some people are so bad that, if the poor were excused from the levy, those bad people would, in considerable numbers, manage to stay out. Too many would prove to be "poor," and all community projects would be thwarted.¹⁰⁵ That is why it is well for the poor to join in the levy and to give.

However, where the bad defer to the good,¹⁰⁶ the poor are

¹⁰⁴ Bologna 1046 has הכרוה where Parma 914 has חרם.

¹⁰⁵ For מבוטל, we must read: מבוטלים. We are told that, in Hebrew of this genre, the distinction between singular and plural in modifiers is not rigidly observed.

¹⁰⁶ Bologna 1046 says: where those who are informed get a hearing from the good.

not subjected to any pressure, and the good people secretly — unknown to the evil folk — return to the poor that which the poor have contributed.

Forbear to protest: "Is not this to supply the needs of the indigent?" meaning thereby that the contributing poor should receive (by way of reimbursement, not their entire contribution but) only as much as is given to the needy for whom the collection is made.¹⁰⁷

915

A passage in Ketubot reads: "One who uses vessels of gold is not obliged to sell them and substitute vessels of silver" (before being granted relief).¹⁰⁸

This was the practice in the days when people deferred to the righteous and the righteous could constrain the wealthy to give. But today, when the rich have the upper hand and do not heed the virtuous except under compulsory decree and when the rich compel giving even on the part of those who lack means, how can it be proper for a poor person to contribute to the maintenance of such who could subsist if they sold their equipment? How can people be maintained from funds contributed by such as are themselves in need and whose own furnishings are far from valuable?

Do not cite the case of Hillel. Hillel, acting as runner before a certain indigent on horseback, was performing a deed of exceptional piety.¹⁰⁹

916

Ta'an. 8B 46 takes Prov. 25.14 to refer to the iniquity of publicly pledging a gift to benevolence and then failing to pay.

¹⁰⁷ The meaning of the challenged proposal seems to be: By way of reimbursement, the poor shall receive only what is given them in the ordinary course of helping them.

¹⁰⁸ The meaning of Ket. 68A/13-15 is not accurately reproduced. See *HUCA*, XX (1947), p. 518.

¹⁰⁹ The case of Hillel (Ket. 67B/10-13, Tos. Peah IV, 10) does not seem pertinent in this connection.

It follows that, in a place where many are inclined to such fraud, pledges should be stated in unspecified sums so as to avert committing sin.¹¹⁰

Charity and rainfall are linked on the basis of Isa. 45.8. Not later than the seventh day of Tabernacles should all vows be fulfilled, because sometimes the eighth day falls on the Sabbath and then whosoever has not fulfilled his vow will have violated the command against delay in Deut. 23.22.

In Num. 29 (vv. 18, 21, 24, 27, 30, 33, 37), the seven fold incidence of the same formula, consisting of seven words, each of which contains the letter *sh*, refers to the seven firmaments. The import is: "Behold, we have fulfilled our vows. Therefore withhold not the downpour; grant the rain." Why thus? Because rains are withheld to punish iniquity with regard to vows. Deut. 11.14 implies: "If you are dilatory in fulfilling vows, I, likewise dilatory, shall not provide the rain in its time. You shall then lack the means of vow fulfilment. To satisfy needs of your own, you commit robbery. Me you have despoiled."¹¹¹ On the seed shall I visit My rebuke."

917, 1048

Prov. 27.14 applies to the person who asks the blessing of the synagogue officiant in consideration of such and such a sum to be given the officiant or to be given either to the officiant or to charity, payable early the next morning or on a certain day, though the poor are on hand at the time of pledging. Such conduct is deservedly called a violation of the command: "Do not delay" (Deut. 23.22).

Or if, aware of poor and needy people who are deserving, one says: "I shall give to the communal charity fund"; for the officiant will bless the pledger in a loud voice and the congregation will respond "Amen" in a loud voice when, meanwhile, the poor lie all night without bed-covers, the administrator

¹¹⁰ When sums are specified, the amount specified is the amount which has to be paid. When no sum has been specified, any sum, no matter how small, liquidates the pledge.

¹¹¹ An allusion here to Mal. 3.9, 10.

having failed to supply their needs; or if, in the evening, the poor have naught to eat; or if a creditor, seeking his pawn, goes early in the morning and says to the poor person: "Give me the tools," the tools with which work is performed during the day; all such conduct is accounted worthy of a curse, even though the poor person may bless the creditor for having left him covers for the night. This conclusion is supported by Prov. 21.12.

Let one give to good people in secret and receive their blessing, as is written in Prov. 21.12 and in Deut. 24.13. The Creator sees and knows whether the givers give to good people. He desireth not the blessing of those who give to the undeserving.

918, 1049

If Reuben says to Simeon: "Take these sums and give them to worthy poor people," and if Simeon has poor relatives but knows that Reuben also has poor and deserving relatives, Simeon shall bestow the gift upon the relatives of Reuben.

919, 333

If Reuben says to Simeon: "Go and give this money to people who study the Torah for its own sake," and if Simeon have kinfolk who are known to be occupied with sacred study and also have kinfolk who merely say: "Aid us and we shall henceforth devote ourselves to sacred study," let Simeon give the money to those of whom it is known that they have already been occupied with such study. Let him say to the other relatives: "Since you have not pursued sacred study up to now and since you desire to do so merely for the sake of the money, your study is not free of ulterior motives." Those who had already engaged in study shall obtain the assistance.

920

The Talmud interprets Jer. 18.23 to mean: "Cause them to stumble by making them give to people who are undeserving."¹¹²

¹¹² B. K. 16B/43, 44, B. B. 9B/44, 45. See note 103.

This stumbling, of course, is something in the hands of Heaven. One should not cause such stumbling of one's own accord. For example, someone says to thee: "I give thee this money for allotment to good people." Thou mayest know that the giver is anything but righteous and that he acts as the men of Anatoth acted toward Jeremiah. Though the one who accepts the money for transmission would like to have harm come upon the giver,¹¹³ because he knows the giver to be an evil person, still he who accepts the money for transmission shall not depart from the giver's wishes. He shall bestow the money upon the deserving. Do as the giver requested thee. Thou art not at liberty to make any change.

921

If someone says to the charity administrator: "Here is some money that I give thee to bestow upon poor and upright people who are engaged in the study of the Law," while other contributors hand the administrator sums to be granted otherwise, sums to be placed in the charity box; and as people give him money for distribution, the administrator forgets which is for the general fund of the charity box and which goes to the special fund for worthy students, the administrator is still bound to accord those benefits to worthy students.

If he have forgotten how much it was to be, he shall keep on giving to those poor and worthy students until he is sure that he has disbursed the entire of the intended amount.¹¹⁴

922

Someone gave to a charity administrator an object which was to be sold and the proceeds given to the poor. Reuben, who donated the object, heard that the administrator wished to sell it to Simeon.

Reuben said to the administrator: "Do not sell to Simeon

¹¹³ This translation seems preferable to another possible translation, namely: though the giver has done the transmitter harm.

¹¹⁴ The passage suggests Men. XIII, 4 and its use by Maimonides in *Matnot 'Aniyim*, VIII, 3.

the object which I gave thee, for I hate him and can not endure that he should own the object which I entrusted thee."

The administrator replied: "Since thou hast handed over the object to me, it is no longer in thy possession. Nor, when requesting me to sell it, didst thou caution against selling it to Simeon. I would be committing robbery were I to sell it to someone who offers less. No one offers a higher price than that offered by Simeon. I would, as it were, be robbing the poor."

Reuben answered: "I would never have donated that object had I known thou wouldst sell it to Simeon, my foe."

The administrator consulted a wise man who counseled: "Assuming that Reuben, the donor, has been in the habit of consigning objects to thee for the benefit of the poor, consider that he may refuse to give anything next time if thou resist his wishes now." But others advised: "Next time, let Reuben do as he pleases. In the present instance, disregard him."

923

Eccl. 11.9 and 12.14 refer to one who, when giving charity, says to another: "Make me a loan. I need it for benevolence." The loan is granted, but the borrower, being closefisted, tells the lender: "I shall pay thee as soon as I make some profit at business." The borrower may have the means. Yet he fails to make prompt payment. Meanwhile, the lender could be lending out the money elsewhere or could be using it in some profitable venture.

It is as if one donating an animal to the altar or to charity lets it feed on another's premises. Reference to this impropriety occurs in Eccl. 4.17.

924

The administrator of charity should not ask a needy person to perform some task without pay and should not subject that person to trouble. Because of the benefits which the needy one receives, he does as he is told. He fears and acts from fear.

Of course, this restriction does not apply to anything that is sacredly commanded.

925

It happened once that someone collected money from all of the communities for the purpose . . .¹¹⁵ The collector, finding himself at the point of death before the collection was finished, consulted a wise man: "What shall I do with that money? Shall I take up, with every one of those cities, the matter of returning those sums?"

The wise man answered: "Entrust that money to some thoroughly reliable person interested in the marriage of some orphaned youth and maiden who may be without means for wedlock. That would be the finest kind of benevolence on thy part and on the part of the donors; provided, of course, that the youth and the maiden are deserving."

928

If a community finds that one of its members is about to be put to death, the community may secure that person's release by using that person's own money, even though that person may protest: "It were better to be put to death than to have to wander, amid deadly perils, from town to town and not have sufficient for the needs of one's family. Only if you leave me some food on which to subsist or if you will succor me, (will I consent). Otherwise I say with Lam. 4.9, 'They that are slain with the sword are better than they that are slain with hunger.'"

If a person is to be blinded in one of his eyes or if his hand or his foot is to be chopped off, and the community can, by using that person's own money, rescue him, (they shall do so), though that person say: "Take not my money. It were better to endure physical pain than to perish of hunger or to have one's family perish of hunger," and the community reply: "Nay, such would be a blemish upon thy kinship, and shame and desecration for all of the Jews," and the person rejoin: "Mine be the shame. If that shame affects all of the Jews, let the Jews furnish my ransom."

¹¹⁵ A lacuna in the Hebrew text.

Also this case was brought up: Reuben said to the community: "Understand that my relative So-and-so is about to be imprisoned. I myself can testify to the evil things he will do if you do not interfere and drive him out of town or if the Gentiles do not seize him. I want you to understand that, for his ransom, I shall give no more than is given by anyone else among you."

The community remained unconcerned. Eventually the imprisonment occurred, and Reuben was obliged to give more than anyone else. He said: "Did I not caution you about this beforehand?" They answered: "Had we ignored the matter, there would have been no ransom at all. Meanwhile, the obligation to ransom rests on thee."

1029, 361

When a poor person is ill and a rich person is ill, many will honor the rich person with their visits. But do thou go to the poor person. Even though the rich one be a scholar, visit the poor one, because many call on the rich but none on the poor. However, if a scholar be in need and an unscholarly person be in need, the scholar should take precedence. But, if an unscholarly person be devout, while the scholarly person is not devout, precedence should go to the devout. See Ps. 111.10; 15.4; 41.2, 4, 3.

1084

Ps. 128.2 refers to a poor person who can maintain himself by his own exertions without recourse to charity or who can subsist on his own exertions combined with charity, engaging in work in order to obviate the need of a large amount of charity. If necessary for the pursuit of sacred study, it is proper for such a person to subsist on charity and to dispense with work.

1163, 507

Let not a man conceal the flaws attaching to members of his household when it comes to the mating of his children or his brethren or any other relatives. If they have some sickness which would, if known, render them maritally unacceptable, he should

make that fact known to the other parties lest they say: "This matrimony is a fraud." . . . Similarly with regard to charity, if there be something which, if known, would deter people from giving generously, the prospective givers should be made aware of that fact.

1208

Reuben owes Simeon money, and Simeon knows that Reuben lacks the means to repay. Thereupon the creditor, Simeon, hires the debtor, Reuben, to work for him by the day or by the week. When the work is completed, the creditor may not say: "I refuse to give thee thy wage. I retain it in payment of what is due me."

1209

Two individuals had entered into a partnership. One of them was wealthy and one of them poor. The wealthy one would say to the poor one: "I shall give thee money to invest, and we shall share the profit half and half." Thus did the wealthy one constantly lend to the poor one.

Eventually the wealthy one lost his possessions. When he said that now he would have to wander as a mendicant from community to community, his poor comrade replied: "Look, I am in debt to thee. I shall repay thee. It is better that I repay thee and that I be the one to go wandering from city to city."

The formerly rich one answered: "What advantage would I have shouldst thou give me what thou holdest? It would hardly suffice me for a year and a half and then I would, in any event, have to go on the road."

The one who had always been poor replied: "How can I thus sin that thou shouldst go on the road while I hold those sums in my possession? I shall pay thee half of what I hold which belongs to thee. Leave that with the members of thy family. The other half I shall assign to my own family and both of us shall go forth together. With whatsoever I obtain, I shall pay thee. Or, if thou prefer, I shall pay thee the entire of the amount at the outset."

The formerly rich one answered: "Thou knowest that people

are well acquainted with me, since I was once well-to-do. To me people will give larger sums than they will give thee. Shouldst thou pay me the entire of the amount due, thou wouldst have nothing left. Since thou hast continued so faithful, we shall divide our takings between us. As for what thou owest me, assign half to *my* family and half to *thy* family."

As they went forth gathering alms among the communities, they divided their takings equally between them.

It chanced that, on the way, the one who had always been poor came upon a valuable find. He said to his companion: "Thou didst show me great kindness when thou hadst possessions and thou didst divide equally with me that which thou hadst in excess of what I had. Similarly we shall divide, between us, this find."

1210, 1065

Shouldst thou have to engage a Jew to work for thee, and two Jewish persons are at hand, one of them able to subsist on some other type of work and the other not skilled at any other type of work, hire the one who is not skilled at any other type of work.

1211, 1066

There was once a saintly person who, when he would engage a copyist to do some transcribing for him, would enter into an agreement by which to avoid violating the command in Lev. 19.13, "The wage of a hired servant shall not abide with thee all night until morning."

That saintly one pondered: "It might happen that, when the copyist asks for his pay, I may have the funds. But some patron of mine may arrive to whom I may have to make a loan. I would either have to transgress by not paying the copyist or I would have to violate Prov. 3.28, 'Say not unto thy neighbor: "Go and come again, and to-morrow I will give."'"

"Despite this possibility, I could have been punctilious enough to pay the copyist in advance. But I entered into an agreement with him owing to an additional possibility, namely: I might chance upon some goods by which I might profit and

might, because of that, delay the servant's wage over night. For that reason also, I entered into the agreement.

"Nor would this be a case of stipulating contrary to the Torah like that mentioned in B. M. VII, 1 where it says that though a man stipulate inferior bread and scant water for his employee, the employer is nonetheless required to feed the worker like Solomon in all his glory."

1211, 1066

The Bologna text, 1066, contains this variant:

If thou hirest a copyist to do some transcribing for thee, enter into an agreement with him so as to avoid violating Lev. 19.13 lest, when he seek his wage, thou have not the funds on hand wherewith to pay it. Whatever the agreement made with him, pay his wage when he asks it, if thou canst.

1215, 1067

(A creditor and a debtor both of whom had forgotten whether or not the debt had been paid) used the sum in question to purchase books for lending out to needy students.

1216, 395

If thou hast in thy possession only that which belongs to others, forbear to give charity, lest thou lack the means to repay.

1225, 1070

A poor person was once about to sell a rich person some valuable object. The rich person said: "I know not (what this is worth). Let us ask Reuben who is expert and posted on such values."

Then the poor person went to Reuben and besought: "Do me a kindness. If the object is worth sixty, say 'Seventy.'"

Reuben answered: "I shall not lie in thy behalf. I would not lie in my own behalf."

1229, 397

R. Gamaliel said: "If one has debts in excess of the amount which one would dedicate to the sanctuary, one shall forbear to dedicate." Similarly a person who owes others money and has no funds of his own shall not purchase books or give to charity or engage copyists or provide candles for the synagogue. One who does such is condemned in Isa. 61.8.

1232, 1074

There are things that mar financial success and bring a man down in the world. Though fortune smile upon that man himself, punishment will nonetheless come. It will overtake his progeny. The reference is to him who is harsh toward those whom he hires. For instance, one engages someone to perform a piece of work or to teach one's children and the like and then puts that person to undue trouble or exacts from him more than has been stipulated. Nor should one ever stipulate anything in excess of a person's strength. If thou knowest that he can go only so far, hire him not on condition that he go further. It is forbidden to burden a person beyond his endurance, though he himself consents. This applies to hiring of all kinds.

1233, 1075

If a man is so miserly and closefisted as to begrudge anyone's making a profitable deal by his aid or enjoying any advantage through his aid or if he charges interest, they into whose hands any of that man's money may come are not going to prosper. Any such person will die soon or become poor.

But if one is generous with his money, enabling others to benefit by his aid and if one gladly lends on a basis of sharing the profit half and half and is not niggardly about letting others gain an advantage by his aid and is gracious at receiving wayfarers — all of those into whose hands the money of such a one comes will flourish. Such happened with the money of Job. Any-

one who took so much as a farthing from Job's hand would thrive.

1233, 1076

The money of him who lends on interest will vanish. He who clips coins or who cheats at weight or measure or at business or who commits any other crooked act will eventually lose his possessions. The children of such people will become separated, one from the other, in a strange land and will sink into dependency. Likewise will the money of their associates and their dependents and of anyone who aids them disappear.

If one acts iniquitously and prospers while so doing and then suffers loss when refraining from iniquity, the purpose of it all is that he might be kept from repentance and thus eliminated from the world. Repentance is not granted those who commit wrong excessively, lest the exploited ones complain: "Such and such hath he done and now forsooth he is in Paradise."

1233, 1078

Likewise if one exploits the worker as to his wage or if one purchases stolen goods or if one profits on appurtenance of idolatry or on the candles or the adornments or the vessels of idolators or if one violates a decree whose violation entails the penalty of excommunication when the congregation decrees a levy of so and so much per pound of one's possessions, the money of such will be cut off and annihilated. It is ordained that such money, no matter into whose hand it finds its way, shall come to destruction.

Therefore let a man beware of seeking to profit by accepting that money no matter whose the hand in which it might chance to be.

1245, 1080

Certain acts while not, in a literal sense, robbery can be worse than robbery. An example would be the wealthy person who says to a poor person: "Make me a loan," and then lends out

the money and pockets the earnings. The poor person has been robbed of the profit which he might otherwise have gotten.

Similar is the case of the wealthy individual who, with ever so many pounds in his coffer, says to himself: "I shall not impair the abundance of my coins." He prefers to borrow from the indigent. His case resembled that of II Sam. 12.4.

1247, 395

If everything that is in thy keeping belongs to others, avoid giving charity. Thou mayest never have the means with which to restore it.

1250, 1082

If someone charges interest or defrauds another and then wishes to return the amounts involved to their rightful owners, the sages view with disfavor the acceptance of such restored sums.¹¹⁶ This applies when the person who has been robbed does not owe anything to others. But if the deprived person does owe something and has no other means of paying, he may accept such money in order to liquidate his debts.

1273

If someone, entertaining a wayfarer, bids the wayfarer eat, and the wayfarer swears that he will not eat, the host shall not urge the guest any further.

1345, 415

Upon a rich person, God bestows such an abundance of wealth that a hundred could subsist on that man's gift. Yet he gives nothing to the poor. Wherefore the poor come and clamor before God: "Thou hast provided that man with enough for a thousand to subsist on, but he does for me naught."

¹¹⁶ B. K. 94B/11-13 contains the statement that the sages view with disfavor the acceptance of the returned money by the person of whom it has been exacted. The presumption is that such restoration might prevent the interest charger's repentance.

From that wealthy individual, punishment will be exacted as if he had robbed many poor people. God says to him: "I supplied thee abundantly with wealth that thou mightest give to the needy to the extent of thy means. Yet thou didst not give. I shall punish thee as if thou hadst robbed those people and as if thou hadst denied having in thy possession something which I entrusted to thee. That wealth which I put in thy hands for distribution to the poor, thou didst take for thyself."¹¹⁷

1346

Ezek. 32.24 is illustrated by that community head who lords it over the community beyond all justification. Num. 16.15 is illustrated by such when he employs Jewish persons and when, after the lapse of a year, those workers wish to hire themselves out to others, that community head orders those others not to engage those workers. He intimidates those possible employers who, dreading financial loss, decline to grant those workers employment. This forces those workers to toil for the community head at a reduced wage. That is the sense of Ezek. 32.24. All of the relatives and friends and connections of that boss treat their fellow townsmen in accordance with his wishes because of some help that the boss may be granting them. Regarding such it is said in R. H. 17A/15, 16 that they go down to Gehenna but do not rise from Gehenna.¹¹⁸

Whosoever intimidates good people will have no good people among his progeny for, in Isa. 3.11, "Woe to the wicked" includes also the seed of the wicked.

1347

A certain man was influential in the city but, when the poor complained about their exploiters, that man, though able to do so, refused to interfere. In the course of events, he himself became

¹¹⁷ We follow the reading of Bologna 415. Parma 1345, as it stands, presents insuperable difficulties.

¹¹⁸ R. H. 17A/15, 16 reads: They go down to Gehenna and remain there in judgment forever.

the victim of oppression but, when he complained, the community refused to listen.

He protested: "Have you no tongue?"

They replied: "This is done because, when the poor complained, thou wast unwilling to speak. Wherefore are we then obligated to thee? And thou wast able to be of service."

That is the practice where the worthy people wield power. But where an individual can prevail by reason of his might, one may interrupt the very service of worship in order to obtain redress.

1396, 418

In litigation with a Gentile, a man faced the need of taking an oath. He said: "What shall I do about this? (I shall do as follows:) I shall swear truthfully and if, by means of an honest oath, I get the money from him, I shall give half of it to charity."

Someone commented: "Swearing is proper if one swears truthfully." But a wise man counseled: "Even shouldst thou give to benevolence this sum in its entirety, yes, and add some more of thine own, it were better not to give and not to swear, even to swear truthfully."¹¹⁹ How many are the cities which have been destroyed by oaths, yes, truthful oaths!" Therefore let a man take heed that all of his dealings, whether with Gentiles or with Jews, be conducted in the presence of witnesses.¹²⁰

1422

A certain Jew, by lending on interest, prospered and grew rich. And he was an avaricious man. That Jew had a Jewish neighbor, a good man who had gotten into reduced circumstances and who wished to sell his land to a third Jew. The third Jew consulted a wise man who counseled: "Keep far from an evil neighbor. I know that fortune happens to smile upon that

¹¹⁹ The best known expression of the thought that any kind of swearing is of questionable propriety is that in Matthew 5.23. Wistinetzki, on Parma 1396, cites along with this, Eccl. 9.2 and other pertinent Jewish passages.

¹²⁰ It is not clear whether this last sentence contains the words of the author or those of the quotation.

wicked man who has set his baneful eye upon his neighbor's house, causing his neighbor to become poor that his neighbor might sell to him. If thou make the purchase, thou wilt ultimately sell to that man of wealth. Therefore do not purchase. Keep far from that pernicious neighbor. His evil eye causes the one residing near him — that is to say, whoever acquires that property — to become poor."

1432, III2

A righteous person talks little and does much. But he does not say: "I shall give thee only a little" and thereupon give a great deal, because that would be deceiving. Let him do as Abraham did in Gen. 18.4. Also the recipient should forbear to say: "I shall accept but little" and thereupon accept much.

1487, 1004

Ps. 41.12 applies to one who was attached to the study of the Torah but who was, at the same time, more expert than anyone else in the purchase of a certain commodity. A widow asked him to obtain for her that commodity. The man pondered: "What about interrupting my study of the Torah?"

An aged man counseled him: "Art thou better than Rabban Gamaliel and R. Joshua who, when the son of R. Gamaliel was to be married, went forth to purchase an animal to be served at the wedding? Similarly thou, when thou goest forth, keep meditating on sacred matters. Since people will give thee a greater quantity at a lower price, it is as if thou gavest that widow something out of thine own possessions. And the Creator will reward thee for thine effort."

1496

Let not a man say: "Inasmuch as I spend the day teaching children, I shall get up early to pursue my own studies." While teaching the children, he might fall asleep. And he gets paid to teach them properly.

1497

Lev. 25.53 means that no man should needlessly vex his workers or his hired servants or the tutors of his children. If those people do their work, let him not say to them: "Such and such a worker and such and such a servant do more than you do." Whoever commits such an annoyance will, in the end, never see a glimpse of good or of blessing in that work or in that task.

As regards children, one should do as is customary in that place, not expecting the tutor to start work earlier or to cease work later. To vex people who are coping with difficulties is an iniquity and a cause for punishment. Those people are sufficiently burdened already, as matter of course, without that added affliction.

1499

There was a man who would not allow his workers to withdraw before dark from the tasks which he had imposed. The workers were Jewish craftsmen. In that neighborhood, there was a Gentile who did permit his workers to leave before dark. On the eve of the Sabbath, the Jew would drive his workers, both the Jewish craftsmen and the non-Jewish, to keep at the tasks until synagogue time, in fact, until *Bareku* was reached in the service; while the Gentile released his hired servants and his workers, a good hour before nightfall, for the Sabbath.

A sage remarked: "I should be astonished if the building owned by the Jew were to endure or if he were to bequeath anything to his heirs. Moreover, the Gentile shows a gracious spirit when he pays his workers their wages, while the Jew procrastinates. Over such things, shall not God be angry?"

And so it was, even as the sage had said. The edifice owned by the Gentile remained for his heirs.

1500, 1000

From Ex. 22.14, 15 and from Ben Sirach 11.32, we learn that one should not hire a worker or a tutor who looks at women when

there is no occasion to address them or who needlessly converses with women. It is proper conduct to avoid looking at a woman even while conversing with her, lest one become lustfully aroused. See Prov. 6.24, 25.

1529

A community which lacks both a synagogue and a hostel for the needy shall first build a hostel for the needy. The scriptural basis for this is I Ki. 7.51. Because David failed to give priority to the interests of the poor, he did not attain the privilege of building the sanctuary. The needs of the poor shall always come first. See also Prov. 21.13.

1592, 764

A letter to the leading men of Regensburg . . . Certain wrongdoers, having gained the upper hand, seek the honor and the prestige of rolling up the Scroll of the Pentateuch (at religious services). They have concocted a secret agreement for the purpose of enhancing their own importance. Twelve of them have conspired that each is to have his month for rolling up the Scroll. Each gives a gold piece for charity, which totals twelve gold pieces a year. They do this only to create for themselves the opportunity to challenge and to protest: "We give more than is given by thee."

Their intent is only to humiliate us and to increase their own conspicuousness. Blessed be the Lord Who hath given me the power to force a change of their attitude.

In a way, I went along with their plan in order to increase the amount available for charity. I feared the touch of iniquity if I were to interfere with the increase of charity. I said: "Possibly the right may be on their side, considering how willing they are to give and to double their gifts."

Therefore I have undertaken to inquire of you, my masters, R. Baruch, R. Abraham, and the saintly R. Judah to hear what you will teach in this matter. I shall decide according to your

judgment, and I shall do as you direct if you say that the right is on their side, considering their large donations; even though they are unfitted for the privilege in question, some among them not knowing one single verse of the Torah.

1593, 765

Answer to the above. Inasmuch as there is profit for the poor — despite the godless motives of the contributors and despite their intention to seize glory for themselves — inasmuch as there is profit for the poor, do not keep those people from tying up the Scroll. The object is the sustenance of the poor. Whoever hinders those people from tying up the Scroll robs the poor. As for the person who has hitherto done the binding, doing so with Heavenly intent, if he gives the money to the poor as he gave it when he did bind the Scroll, he wins the same Heavenly recognition as if he had performed the rite. This is the meaning of Mal. 3.16. That verse is applicable to him since he performed that rite devotedly.

You apprehend contentions involving others and the likelihood of trouble and the likelihood that, when the world sees how an upright person has been kept from binding the Scroll in order that there might be an increase of charitable giving, others will be treated similarly. We reply that, when matters reach the fighting stage, the wise men will do as they see best; assuming that these contenders would give twelve gold pieces and those give twenty. But, if one gives a gold piece and another offers to give a gold piece plus twenty farthings, a matter so trivial is not worth heeding.

1630

The Jews of a certain place had built a synagogue of stone. In the course of time, they wished to leave that place for another place. They debated: "What shall we do with the synagogue?" Some said: "Let us sell it to the Gentiles and since, when leaving here, we shall be going to a place where a synagogue already stands, let us, after selling this one, give the money to the poor."

1671

R. Jeshebab apportioned his possessions among the poor. R. Gamaliel sent him word: "Does it not say, 'Not more than one fifth of one's possessions for charity'?"

But did not R. Gamaliel live prior to the time of Usha? R. Jose, quoting R. Levi, said: "That was the prevailing rule. However, it was forgotten, and a later generation accepted the teaching of the former one."

1676

Said R. Joshua b. Levi quoting R. Antigonus: "As regards the relative importance of supplying clothes for the wife of a cultivated person or providing maintenance for an ignorant person, (we hold that) out of respect for the cultivated person, the clothing of such a person's wife takes precedence.

"This applies when the garment in question is intended for the wife of a cultivated person during that cultivated person's lifetime. But if . . .¹²¹ it be a matter of sustenance for a person and clothing for the same person, sustenance shall have priority."¹²²

Supplying the wife of a cultivated person with clothes takes precedence over an ignorant person's maintenance only if the cultivated person's wife be like her husband and if she be good toward God, good to her husband, and good to other good people. Only then does supplying her with clothes take precedence over sustaining a person who is ignorant.

This refers, furthermore, only to garments which are needed, garments with which the woman can not dispense. But, if it be a matter of providing her with ornaments, the maintenance of an ignorant person comes first.

¹²¹ There is a lacuna in the text and a change in the terms of the comparison.

¹²² We have removed the next sentence from its position in 1676 and have placed it at the end of 1676 in order to avoid an utter break in the sequence.

"If a person and his mother and his teacher and his father are in captivity, that person's ransom takes precedence over that of his father, that of his mother over that of his teacher, and that of his teacher over that of his father" (Hor. 13A/33).

1677

Reuben, a poor man, wrote to a certain Rabbi: "Do thou prepare a letter to a certain distant land appealing to the people there that they give me aid." Subsequently the Rabbi remarked to another poor person: "If thou desirest, I shall write and ask them to give also unto thee."

The second poor person replied: "That is undesirable, because those people will then reduce their gifts to that poor person who sought thine assistance first. And he is a worthy Jew. Therefore do not write and ask that anything be given unto me. One who causes his fellow such a diminution of income will have to answer in judgment as if his crime were robbery."

1678, 1028

From a different locality, a certain amount was sent to someone with a letter reading: "Let this money be invested at a sharing of the profit half and half, (half for myself and) half allocated to So-and-so for the duration of his life. Thereafter it shall go to the poor."

The person who was to receive half of the profit refused to accept it. He said: "The poor, since they already know about this, will complain: 'So-and-so is robbing us.' And since they already know the terms, they will query: 'When will So-and-so die that the money may be given to the needy?' Let someone who is willing give me a small amount directly without figuring on any profit."

However, if the matter be not known to other poor people and if the sum be large and the profit considerable, there is no objection to that plan.

1678, 1029

Although the choicest way is to give directly. Moreover, if one desired that some worthy poor person be maintained on the income from a given sum, it is well that the sum be profitably invested.

The Bologna Text, 1029, contains the additional sentence:

If there be no reliable person to whom the sum can be entrusted, let part of that capital fund be given to the poor individual directly.

1679

A certain individual came to a wise man and said; "I have vowed to give twenty pounds to any poor person who will impress me with his worthiness. Let me ask whether, until such worthy person appears, I may use the sum in business with a view to profit."

The wise man replied: "Thou mayest."

A second individual arrived who spoke to the wise man similarly. The wise man answered: "Nay, it is forbidden to use that money in business with a view to profit. Let the money be laid aside. Do not use that sum commercially."

A third individual came with the identical question. To him the wise man replied: "Take that sum to a place where thou wilt find worthy poor on hand. Or turn it over, at once, to upright people resident in thy city. Let them have charge of it until worthy poor persons come to their notice."

The pupils of the wise man observed to him: "Thy words travel in three directions. Wherefore didst thou thus vary thy counsel?"

The wise man responded: "The man, in the first instance, is upright. I know that, when the worthy poor present themselves, he will not withhold the money for the sake of personal gain. Therefore I said: 'Use it, with a view to profit, in business.' That man is reliable. Whatever profit he gains, he will take for himself no more than is properly his.

"Regarding the man whom I admonished: 'Thou art forbidden to use the sum, with a view to profit, in business,' I know

that, when poor people turn up, he can be trusted to hand the money over to them provided the expected profits do not materialize. But, should those profits materialize, he is likely to say, when poor people come: 'I prefer to wait for still worthier poor people.' Besides, he is not well-to-do. When the worthy poor are on hand, he may lack ready cash.

"The one to whom I said: 'Yield the money at once' is a man who can not be trusted with retaining it. Worthy poor people are at hand not far from the city in which he lives. If a man can extend aid to the worthy poor even in a distant place, it is improper for him to retain the sum. Prov. 21.21 signifies that, if there be absence of worthy poor in one's own city, one should dispense the sum elsewhere."

1680

A certain individual vowed that he would give money, to the extent of so and so many pounds, to charity. But he did not give the sum to charity. He delayed ever so many years, meanwhile deriving, from the money, large profits.

In the course of time that Jew became poor — reduced in his possessions. He said to a wise man: "Since I have become reduced in my possessions, let me obtain help by drawing upon those pledged sums."¹²³

The wise man answered: "Thou mayest not have recourse to that money. The reason is that thou hast not let it out of thy hand."

The pupils of the wise man asked: "Why may not that individual be assisted with that money, seeing that he is in need?"

The wise man replied: "If the pledger has put the money in charge of some reputable person for distribution to the needy and if later the pledger becomes poor, then it is fitting to sustain him with that money, in preference to others, if that money be still extant. But one who pledges and then fails to let the money out of his hand commits a sin. He has withheld the money. He

¹²³ We must understand that the pledger still has the money in his possession but that he needs it for himself.

has failed to bestow it. To say that he should be allowed recourse to that money would be to reward a wrongdoer. Anyone (who had ever pledged) could beseech: 'I am poor. Let me take the money,' though the money may never have left his hands.

"Such a person should not be permitted assistance from that sum. The proper thing to do is to give the money to the deserving poor or to hand it over to trustworthy people for distribution to the deserving poor."

1681, 1030

A certain man had charge of charity funds. Since, according to Sheḳ. IV, 3, it is not permitted to invest such funds,¹²⁴ he carried the money around with him. He lost the money; it disappeared. His was the transgression because he had not asked the counsel of the city's elders. In the course of years, some of that man's progeny, traversing the same road, stumbled and died of their injuries.

1682

Prov. 27.2 teaches that a man should supplicate God not to lead him into temptation.

A certain wealthy man met another wealthy man who had lent certain deserving people money with which to carry on business, the profit to be shared half and half. But those borrowers became poor. Before they could earn profit out of which to repay, they had to use the money for their personal needs.

The wealthy lender of the money said to the other rich man: "See what those so-called deserving ones have done to me"; to which the other rich man replied: "Never would I myself have done a thing like that."

A wise man quoted Abot II, 5, "Judge not thy fellowman until thou art come into his place" and added: "Praising thyself comes easy for thee."

Not long thereafter the rich man (who had boasted) did

¹²⁴ The passage is also in Ket. 106B/36, 38. 'Ar. 6B/1-3 does tell, with approval, of an administrator's use of charity funds presumably in his own business. See Maimonides *Matnot 'Aniyim*, VIII, 5.

something even worse than was done by those whom he had criticized. The wise man remarked: "Through this, God hath tried thee, showing that a man should avoid self-praise and should supplicate God not to lead him into temptation. Applicable here are Prov. 6.30 and 30.8."

1683, 1031

Someone told a wise man: "A certain individual now deceased bade me give such and such sums to worthy poor persons as thou, the Rabbi,¹²⁵ mayest decide. To whom now shall I give? I shall give to such and such deserving ones if it be satisfactory to thee."

The wise man replied: "If thou art accustomed to give to thy relatives but wouldst, though wealthy, make it easier for thyself by handing them the money contributed by the person now deceased, thou shouldst know that such conduct is iniquity. Thou art robbing the poor. We shall apportion this money to thy relatives only if thou dost not diminish thy customary gifts to them. Otherwise we shall not thus apportion this money."

1684, 1032

One having some money in his possession said to a wise man: "Ponder thou, to whom shall I give this money that my act may be one of exceptional merit?"

The wise man answered: "Give it to such and such worthy poor people."

The inquirer decided to do so. His words were: "Thus shall it be."

But the next day the inquirer returned and said: "There is another poor person to whom I would give if thou wouldst diminish the amount allowed those mentioned yesterday."

The wise man replied: "Since that other person is no worthier than those whom I have already named and since thou hast already reached a conclusion, thou shouldst not reduce the

¹²⁵ In 1702, the Rabbi and the *Hakam* are identified.

amount to be granted the people contemplated originally. If thou hast additional funds, bestow something on that other person. But do not lessen the allotment of the people previously considered.

1685, 1033

That people might charitably remit sums for his own assistance, a Rabbi sent his representative to various lands. Before the emissary returned, the Rabbi had died. The Rabbi had an heir. A certain venerable man counseled the heir: "Take the money sent thy father and liquidate his debts; pay what he owed. Assume that the money reached thy father while he was still living. Settle the accounts of those with whom thou knowest thy father would have settled."¹²⁶

1686

The words "from among you" in Ex. 35.5 mean that one may give to charity only that which is in one's actual possession. This excludes a case such as that of Reuben who owes money to Simeon, money which has not been repaid. Simeon may not pledge that unpaid sum. That is the purport of "from among you."

Similarly it is meritorious of a wealthy person to lend a poor person money. But, should the wealthy person pledge to charity the amount that is still in the poor person's hands, that would be an instance of "a worthy deed performed through a misdeed." Hence, Ex. 35.5a.

1687

Someone lent money to a poor person who, as the lender was well aware, loved to gamble. The lender pressed the borrower for payment. People quoted Ex. 22.24, "Thou shalt not be unto him as a creditor." The lender replied: "Nay, to a rascal I lent my money. For me to get it away from him were an act of merit."

¹²⁶ In this passage, *מפרנסם* has the unusual meaning of: settling a debt due them

1688

Reuben, a poor man, besought Simeon, a rich man: "Grant me a loan. If do not repay by a certain date, I shall sell a certain possession of mine at a loss and shall make good my obligation."

The date arrives, and Simeon notices that Reuben is selling that possession of his at a loss in order that Simeon might get paid. In accordance with Ex. 22.24, Simeon should say to Reuben: "Be not in haste to sell that possession of thine and to sell it at a loss"; though Reuben is selling it in order that Simeon might recover his loan. A man becomes deprived, so to speak, of whatever he sells at a loss.

1689

Reuben had an object which he had purchased at a reduced price, and Simeon had need of that object which was in Reuben's possession. Suppose now that Reuben who had purchased the object for forty *denarii* says to Simeon: "If thou give me one-half pound (fifty *denarii*), I shall sell it to thee, provided we view the transaction as one of those to which the laws against overreaching do not apply"¹²⁷ — or suppose that Reuben puts it this way: "I know that an element of overreaching is involved but I am unwilling to sell it except thou concede me this overreaching" — "I wish that thou shouldst grant that one-half pound to the poor — to such and such a poor person — and that mine should be the merit."

Assuming that the purchaser (in this case, Simeon) is wealthy, such would not be tantamount to an act of robbery and then giving, to the poor, the gain of that robbery."

1690

God commands giving to the poor and lending to the poor lest the poor resort to stealing. It would seem better not to lend

¹²⁷ The matters to which the laws of overreaching do not apply are listed in B. M. IV, 9.

to the poor but simply to give. However, the Torah knows that sometimes, if a man accepts alms, he feels shame. Inasmuch as lending can occur between the wealthy and the wealthy, the poor person, if he borrows, need not suffer embarrassment. He can say: "I shall toil and moil and pay back."

(The poor person feels shame) because querulous people are wont to remark: "Look, thou acceptest charity, although thy means are ample." A borrower can always answer: "But I am going to repay."

If, however, the loan be made at interest, the poor person comes to ask: "How shall I obtain the means to pay that interest? Rather than depend upon others, I shall steal and rob." That is the point to Prov. 6.30. Therefore lend without interest. See Deut. 16.11.

1691, 1034

There are times when lending is better than giving. Reuben, an upright man, sought of Simeon a loan of some money. Simeon, without hesitation, made the loan but remarked: "Really I grant this as a gift." Reuben was thereupon so ashamed and embarrassed that he would ask Simeon for a loan never again. Evidently it were better not to have bestowed upon Reuben a gift of that kind. See Ps. 41.2.

1692, 1034

God decrees the way in which human needs are to be satisfied, and a person should beseech God to make it possible for his wants to be met without wrongdoing and without sin. Robbers obtain iniquitously everything that they eat or need, similarly harlots (Prov. 6.26). Thus, according to people's thoughts, is their way of procuring what they must have. For a righteous person, the way is that of righteousness.

By what means a person shall live is a matter of Heavenly decree. Let a person pray that what he requires may come to him without misery, shame, disgrace, infamy, or iniquity. This applies also to marriage and to the things requisite for married life.

If thou wouldst give out of devotion to God, proceed in such wise that He will account it for righteousness. Suppose there is a craftsman. Thou canst aid that craftsman in such manner that he will, at no time, feel humiliation, How? Let us say thou wouldst give him twenty farthings. Perhaps he desires to obtain a certain object. Go to him and sell him cheaply that object which he hopes to purchase. In other words, ascertain what it is that he desires to buy, and sell that to him at a price to which he is accustomed, that he may promptly resell it at twenty farthings profit.

Or, if he have something to sell, purchase it from him at a premium. He will then be unaware that thou art rendering him a kindness. Thou wilt be fulfilling Lev. 19.18 because thou dost avoid putting him to shame. Since thou hast brightened his face, thine own face shall be brightened in the hereafter (Judg. 5.31).

1693

Certain words in Isa. 46.12 mean that, when a person is about to grant poor folk charity, he shall be watchful that no one else is present, lest those poor folk suffer shame.

1694

Reuben requests Simeon: "Give this money to Levi." But Simeon knows that eventually Reuben is going to humiliate Levi by reminding him: "I did, for thee, such and such."

Simeon should then say to Reuben: "I shall convey the money to someone of whom I know that thy giving to him would be a meritorious act."

If Reuben refuses, Simeon can say to the aforementioned Levi: "A certain individual desires to send thee money. If thou wishest, I can receive it and give it thee. But do not then complain: 'He humiliates me constantly.'" If Levi thereupon consents, Simeon should give Levi the money as Reuben had directed.

1695

Reuben says to Simeon: "I know that thou art discerning. It is imperative that thou accept money from me and give it to someone who impresses thee as being upright and, at the same time, truly necessitous."

Now Reuben has a relative who is righteous and also indigent, and that relative has no other source of help. Simeon should accord the grant to Reuben's relative, inasmuch as Reuben has a duty toward his relative. But, if either Reuben or Simeon has a relative to whom others are giving, Simeon should bestow the money on someone else, someone who lacks such assistance. There is not so much merit in giving to someone to whom others are giving already. It were better to give to one for whom no other aid exists, even though he be neither so well educated nor so righteous. Remember, others are not helping him.

1696, 1036

Suppose that someone ask thee: "See, I have some money. Shall I pay it to a scribe to copy a scroll of the Pentateuch or shall I present it to some poor people who lack clothing?" Offer this answer: "Isa. 58.7 warrants decision favoring the latter."

1697

Reuben sent Simeon a valuable object that Simeon might perform with it some meritorious deed, and along with the object, this message: "I do this because I know that, with this object, thou wouldst perform a deed more meritorious than I would." Then Levi came to Simeon and asked to be given that object.

A wise man counseled Simeon not to transmit the object to Levi because "what he would do with it would not, by any means, be as meritorious as what thou wouldst do with it. That was why the object was entrusted thee. Moreover, even assuming that Levi's deed with it would be as meritorious as thy deed, had Reuben known that thou wouldst hand it over to Levi,

Reuben would not have committed it to thy keeping. Such action, on thy part, would resemble robbery."

Then Levi spake to the wise man: "Since thou didst tell Simeon not to give the object to me, let me inform thee that Simeon desired to give me that object. Since thou didst deter him, the one resembling a robber is thou."

The wise man rejoined: "The object, in thy possession, hadst thou received that object, would really have been an acquisition in which robbery had a part. Whether it should be given thee did not depend upon the wishes of Simeon. Thou wouldst, as it were, have been robbing both Simeon and Reuben (Gen. 20.6)."

1698, 1053

A query: Reuben noticed Simeon, a poor man, expending money to enable others to acquire the merit of carrying out sacred commands. The congregation, for instance, lacked a citron. Simeon purchased a citron and donated it and did similar things. Had Reuben known that Simeon thus lavished his money, Reuben might have ceased to render him further assistance.

1699, 1053

The reply: Had Simeon previously made a practice of thus assisting others to acquire merit, Reuben has no ground to feel loath about giving Simeon further help. But, if such were not Simeon's former practice, Reuben shall discontinue extending aid.

1700

If people accord aid to Reuben, an upright man, just because he is upright, Reuben is at liberty to take that which they give him and to grant it to some other upright person — not, however, to any evil person. As matter of fact, whoever gives, gives with the expectation that the recipient is going to bestow it upon members of his family.

1701

If an apostate gives charity, the poor may accept it. The precedent is Micah in Judg. 18 who made an idol. Micah's bread was available to those who came and went, wherefore he was rewarded with length of life.

1702

An apostate wished to present a generous gift to a Rabbi. People said to the *Ḥakam*: "Since thou art a poor man, why doest thou not accept the gift? Did not Elijah have the benefit of meals supplied by Ahab?"

The wise man answered: "God sustained Elijah by means of the ravens. The ravens did indeed obtain supplies from Ahab's slaughtering houses. When Elijah appeared unto Ahab, Ahab asked: 'Whence didst thou obtain food? Who sustained thee?' Had Ahab known that it was in the house of the woman at Zarephath, Ahab would have put that woman to death. Therefore Elijah said: 'The ravens brought me supplies from thine own slaughtering houses.' And Ahab knew that it was true. People had marveled how the ravens had been taking bread and meat. No person fell under Ahab's suspicion of having sustained Elijah."¹²⁸

The wise man added: "Consider Prov. 21.27 and the 'of you' in Lev. 1.2. 'My portion is with *you* and not with the Gentiles.' Nonetheless offerings are accepted from Gentiles, as stated in Ḥul. 13B/13, 18 — from Gentiles but not from apostates (Ḥul. 5A/29).

"We find, in I Ki. 13, that the man of God was forbidden to partake of food (at Beth-el); for Jeroboam and his crew had gone apostate. The lion smote the prophet who did thus partake. Therefore, from that apostate, I will accept nothing."

¹²⁸ The thought is: No reproach attaches to Elijah for accepting food from the apostate Ahab because the case of Elijah was exceptional. The woman of Zarephath who had fed Elijah had to be concealed from Ahab's wrath.

1703

If a man prefers one of his sons to the others not because that son is more virtuous but simply because the father's heart is thus inclined, the father should not grant the favored son a heritage ampler than that of the other sons. But, if the favored son surpass his brethren in moral excellence, then the father shall, without the others' knowing it, grant the favored son a larger bequest; because that son will, more than all of the others, do the will of the Creator and will, more generously than the others, give to charity. That is why the father should leave him a larger amount.

1704

A certain man had two sons, one righteous and one wicked. The father maintained the wicked son but not the righteous one, because the wicked one would say: "Only so long as thou sustainest me will I avoid pernicious ways."

People would urge that father: "Show compassion to thy righteous son, not to the wicked one." David and Solomon differed similarly. David appointed Shebuel (I Chron. 26.24) over the treasury to keep him from serving as priest for Micah's idol. But Solomon removed him, whereupon Shebuel reverted to his former practice (I Ki. 4.6).

1705

How do we know that "thou shalt uphold him" in Lev. 25.35 means that one should continue to uphold him although one has already done so four or five times? "Thou shalt uphold him" does, in fact, thus teach.¹²⁹

It might be supposed that he shall be upheld though thou dost thereby degrade him into disreputable conduct. The words "with thee" preclude that. They preclude that, though the recipient be one's own father, when giving to him might aid

¹²⁹ The teaching occurs in Sifra Behar on Lev. 25.35.

doers of iniquity; either effecting such directly or, just by providing the father with food, leaving him free to expend, in a profligate manner, money which comes to him from other sources.

1706, 1054

The question was put to a wise man: "Reuben, a wealthy man, prospered, though he let unworthy folk benefit from his means. People counseled Reuben that, were he to let virtuous folk benefit, all of his affairs would prosper still more.

"Reuben heeded this. He let good and upright people benefit from his wealth. And then the fortunes of Reuben declined. He had prospered only so long as he had been aiding the wicked."

To this query, the wise man answered: "You may as well feel amazed even more. It sometimes happens that a wealthy person will prosper just so long as he works iniquity, while another person, one whose shortcomings are slight, undergoes prompt punishment. The latter occurs in order to keep that person from committing further wrong. Meanwhile, if an unrighteous person performs a good act, his fortunes deteriorate and his possessions diminish. He prospers only so long as he acts wickedly. The purpose of this is to encourage him to act still more wickedly.

"It was thus with the aforementioned Reuben. Because God took no delight in Reuben's good acts, it became evil in God's eyes that, through Reuben, upright folk should derive benefit. Reuben's fortunes receded (when he acted properly). This came to pass so that Reuben should not, by succoring the righteous, acquire merit. Reuben prospered when he helped the wicked (thus becoming habituated at doings) which would not count in his favor."¹³⁰

1707, 1039

R. Ḥama, the son of R. Ḥanina, and R. Hoshayah, the Great, were promenading among the synagogues of Lydda. Said R. Ḥama to R. Hoshayah: "Think what money my fathers

¹³⁰ Bologna 1054 adds: לעולם הבא.

sank here!" The other replied: "Think what souls thy fathers sank here! No people are here occupied with the Torah."¹³¹

R. Abin had built the gates of the Great Academy. When R. Manni came to see him, R. Abin boasted: "Look, what I have done!" Whereupon R. Manni quoted Hos. 8.14, "Israel hath forgotten his Maker, and builded palaces," adding: "No people are here occupied with the Torah."

The moral is that one who possesses money should not say: "I shall build a synagogue or an academy." Sooner let him give the sums to worthy people who devote themselves to sacred study. One should not give to such as manage to hit upon Talmudic contradictions so that the whole world might regard them as conversant with the entire Talmud. Those are not the real devotees of learning. Such do nothing but ferret out contradictions and variants in order to show off their cleverness. One should give to the Godfearing who study in order to fulfill the sacred commands.

1708

A wise man once directed his sons and his pupils to avoid buying produce to sell at a profit because, when it brings a high price, one rejoices at the high price and at being able to sell at a high price. Prov. 17.5 applies here: "He that is glad at calamity shall not be unpunished." In his own interest, he ignores the interests of the many.

1709, 1049

A certain individual bought a large quantity of produce which, at a time of famine, he sold to the poor at cost. People quoted Prov. 17.5. The man replied: "Since I give it to the poor at cost and, to some of the poor, free of charge, I have no occasion to rejoice at high prices.¹³² Sometimes I lend them the produce subject to return when the price is low."

¹³¹ Quoted verbatim from Yer. Shek. V, 6 (Krotoschin 49B/36-38), also Yer. Peah 21B/57-59.

¹³² Instead of *אני שמח*, Bologna 1049 reads: *אני שמח* I rejoice (at the opportunity to perform this good deed).

1710, 1050

If one dwells in another's court without that other's knowledge, while that other has, in that locality, houses and chambers which he does not need for any purpose; and if the occupant be an upright person, the occupant thus having an advantage while the owner sustains no loss — since the owner has no intention of renting the place for others to occupy and since he is accommodating there a poor but worthy person — it is not proper for the owner to collect rent. The occupant causes no damage or depreciation, while the owner acquires merit.

Thus it was that the tribe of Judah accepted the tribe of Simeon for residence in Judaeen cities until the reign of Saul, when the Judaeans, needing the land, dispossessed the Simeonites. During the time prior to the dispossession, the Simeonites paid nothing whatsoever.

1711, 1051

Deut. 22.8 is illustrated by the man who so fixed the key of his rooms that those who were within could not open the door. The house caught fire. They could not get out, the keys having been lost. The people in the rooms were cremated.

1711, 1052

One who is entertaining wayfarers should not lock them up in such wise that they are unable to go out and satisfy their bodily needs. For having done this, Samuel was punished by Rab.¹³³

But, where women are present and, at the same time, disreputable men are present, locking the door from the outside is proper.

1712

R. Jannai and R. Jonathan were sitting together. A man came and kissed R. Jonathan's feet. R. Jannai asked R. Jonathan:

¹³³ This punishment is recorded in Sab. 108A/37, 38.

"What is the good which thou hast rendered him in the course of his life that he is now requiting thee?" (Yer. Peah 15D 28-34).

R. Jonathan replied: "This man came to me once imploring that his son should support him. I answered: 'Shall I call a meeting of the community to reproach thy son?' "

Said R. Jannai to R. Jonathan: "Art thou still of that opinion (concerning the right to compel the son)?"

R. Jonathan then took the step of reinforcing that tradition with the prestige of his own name.

Jacob the son of R. Aḥa came and quoted R. Samuel bar Nahman as stating, in the name of R. Jonathan, that a son can be forced to support his father.

"Shall I call a meeting of the community?" From this we learn that one may close the doors of the synagogue in order to prevail upon people to give charity to the poor and in order to shame the person who is unwilling to contribute.

1713

"Because he is poor" in Prov. 22.22 means that one should beware of committing robbery — even though it may not be literal robbery — and thus bringing poverty upon oneself.

In a certain place, when the community issued a decree that a given charity be rendered — a decree the violation of which is punishable by excommunication — certain individuals of wealth left the synagogue which happened to be the place of meeting. They thought that, since they had withdrawn, the decree did not rest upon them. They showed no concern for the ruling of the sages that those who disobey such a decree are subject to the ban.

Some of those who withdrew remarked: "It would have been splendid of you to give ten pence for every pound of your possessions that the amount raised for charity might be abundant."

The reply to this was: "You say that this should be done because you know that it can not be done. We call for a burden that can be borne. We regard as subject to the decree anyone who lends a *li'ra* or changes a gold piece, it being expected that a coin for charity will be deducted at such transactions. Even

had we consented to your proposal, you would have been unwilling." The withdrawers had acted only to thwart the undertaking.

Not much time elapsed before those who withdrew suffered financial reverse. Financial reverse struck also those who joined them in their secessionist congregation.

1714

Reuben supported certain relatives of Simeon, Simeon being unable to give his relatives anything. Simeon happened to be active in communal affairs and vocal in communal matters.

Once it chanced that Reuben defied the congregation. That is to say he refused to comply with the congregation's ruling. The relatives of Simeon besought Simeon: "If thou bring pressure to bear upon Reuben, as thou wouldst upon other resisters of the congregation, he will cease to contribute anything to our sustenance, and we know not by what other means we can live."

Accordingly Simeon displayed toward Reuben a fawning favoritism. Yet, in the end, Reuben discontinued his beneficence anyhow. Said Simeon to his kinfolk:¹³⁴ "As a result of your iniquity in making me cringe before him, you have forfeited your sustenance. In addition you have caused me to desecrate the name of God."

1715, 1047

Should an irascible man say to his wife: "Understand, if thou givest anything to charity. I shall chastise thee," or if he vexes her in any other way and if the solicitor knows about the husband's antipathy, the solicitor shall not accept anything from the wife, not even a small contribution. But, if there should issue a communal decree specifying so and so much per pound of one's possessions — a decree whose violation is punishable by excommunication — and the husband violates the decree, then let the wife give, and blessings will come upon her. However, anything that the son or the wife may steal must be returned.

¹³⁴ Wistinetzki supplies: לא נתן ראובן להם ואמר שמעון.

But, if the father violates the decree and the son knows that the community will not believe him should he tell them about it, what advantage is there in his telling?

David accepted the bounty of Abigail even though it contravened the wish of Nabal that she should give David nothing. But, inasmuch as Nabal was a man of evil deeds and foolish words, Abigail's gift could be regarded as booty taken from a foe. Moreover since, as the servants told Abigail, David had rendered Nabal many favors, Abigail was, so to speak, in David's debt.

1716

Let not the solicitor of charity walk with his fist doubled and so placed with relation to his arm as to make it appear that he has money in his hand, when there is nothing in his hand.¹³⁵ This is the meaning of Num. 32.22 where the words "before Israel" signify that one should avoid bringing upon oneself suspicion.

1717

There were two righteous people. Every week one would give a specific sum such as he could afford. The other gave lump sums, saying: "It is better that I give all at once, because it annoys me to give a great deal and 'according to the annoyance, the reward' (Abot V,21). Besides, the poor person might thus be enabled, at harvest time, to buy produce when the price is low."

The other argued: "Were I to give all of the money at once, it might get out of the poor person's hands, and afterward I would have nothing further to give. Besides it were better to deal out the money little by little lest he squander it."

All agree, however, that if a poor person can, when given a lump sum, purchase produce at reduced prices, one should let him have the lump sum: because afterward the giver may give no longer; and further because, if the gift be scant, the recipient may feel chagrined and sarcastically quote Ps. 106.3b about those "that do charity at all times."

¹³⁵ According to B. B. 8B/40, money found on the street or obtained in payment of a debt had to be placed provisionally in the collection box.

1718

Two poor persons were in need of benevolence and some good people gave them secret assistance. In the course of time, those poor persons acquired wealth, although not enough wealth, considering that they had poor relatives.

Those formerly poor persons who had become well-to-do got into a debate. One of them said: "I can sustain only (one recipient).¹³⁶ If I give to those who assisted me in the days of my poverty, I can not give to my brethren. Yet how can I be ungrateful? Despite Deut. 23.7, David sought the peace of Hanun, the son of Nahash (II Sam. 10.2), because the father of Hanun had rendered David a kindness and David would not be an ingrate. And despite Deut. 20.16, Israel spared Rahab and her family (Josh. 6.22-25) and granted immunity to the builder of Luz and his family (Judg. 1.25, 26); and David spared the (servant of an) Amalekite¹³⁷ — all because Israel and David would not be ungrateful."

The other replied: "Our only intent is that of performing a meritorious deed. If those who succored us had had poor brethren, they would not have succored us.

"Therefore, since I have the means to sustain one recipient only, it were better, in accordance with Lev. 25.36 and Prov. 11.17, to give to my brother. I shall not be guilty of ingratitude if I do so."

1737

Rabbi Judah, the Prince, would cultivate the wealthy, the givers of charity. Resh Lakish and R. Ḥiyyah bar Abba would cultivate the wealthy, the givers of charity. Yet, if a scholar came who pursued study for its own sake, those sages would prefer the scholar. As Job 28.17 teaches, scholars who pursue learning for its own sake in order to put what they learn into practice are at the right hand, while they who dispense charity

¹³⁶ After אלא, we must insert: אחר.

¹³⁷ For עמלקי, we must read, with I Sam. 30.13, עמלקי.

to the poor are at the left. See Eccl. 10.2, Deut. 33.3. Wealth and honor alike are advantages of this world, but the right hand symbolizes the world to come. See Ps. 16.11, Ex. 3.15.

1739, 875

There was once a saintly man who went from city to city gathering, for himself, alms. On what he obtained, he would subsist, but he would also devote himself to study and also pay a scribe to copy for him *Perushim*, *Hiddushim*, and *Tosafot*. He would say: "It were well that I receive gifts and, with the money, hire a scribe, thus enabling many to acquire merit."¹³⁸

1739, 876

If a man conceals books and notations from worthy people, those books and those notations will eventually get into the hands of evil and unworthy people. But, where a man perceives that folks are undeserving, he shall keep those objects where they can not be seen. Note Ps. 25.14 and Prov. 2.7.

1890, 513

Reuben had a daughter and Simeon a son. Reuben would always send Simeon gifts. Simeon consulted a wise man. Said Simeon: "I have no intention of letting Reuben's daughter marry my son. If, on account of my son, Reuben sends me those gifts, my accepting them is the equivalent of robbery. Since I do not favor my son's marrying his daughter, Reuben will ultimately regret sending me those objects. At the same time, if I say to him: 'I do not consent to this,' he will do me harm."

The wise man replied: "Reuben knows that thou art poor. Perhaps it is with that in mind that he sends thee those presents. Still, do not deceive him. If he asks thee to give thy son to his daughter, say: 'It can not be.' Do not say: 'I shall do it,' and subsequently not do it. Then Reuben's gifts to thee would indeed

¹³⁸ His intent was obviously that of obtaining books for the purpose of lending.

be like something that thou hast gotten by robbery. If he should then hate thee, he would have the right on his side."

1899

A man once said to (one of) the sages: "Someone seeks of me that I take him into my house."

The sage inquired: "Hast thou any unneeded rooms?"

"Yes," was the reply.

The sage then counseled: "If that person be unworthy, apply the pronouncement of Ben Sira: 'Bring not everyone into thy house' (Ecclus. 11.29, San. 100B/33). But, if that person be one who is always occupied with sacred study and who is free of malice and who will tell no tales about happenings in thy house, then it were well to let him in. If thou dost not have to provide, on his account, any additional wood or anything else extra, accept from him no rental. He derives an advantage but thou sufferest no deprivation. Why charge him rental for dwelling in thine abode?"

1926

There is a kind of charity (*Ṣedaqah*) which amounts to an outcry (*Ze'akah*, Isa. 5.7), as when a person gives to adulterers or to a glutton or to a drunkard.

The words, "lest it fall into harlotry" (Lev. 19.29), can be read: "Lest thou cause harlotry." Thou shalt not commit adultery" can be read: "Thou shalt not cause adultery." "Thou shalt not kill" can be read: "Thou shalt not cause killing."

Whoso supplies murderers with their deadly weapons is, as it were, himself a killer. Whoso gives sustenance to bandits is, as it were, their collaborator. And whoso gives to adulterers aids them, as it were, and brings them into alliance with one another. The recipient takes the money given him and expends it upon the fee of a harlot.

It says (Ḥag. 5A/38, 39) that it were better not to give at all than to give in the presence of many. Akin to this is the way of him who, while in debt and unable to pay his debt, nevertheless lets charity get some of his money. Such charity is robbery.

1950, 530

What the righteous achieve in this world is by virtue of their prayers which are analogous to the wailing of the poor at the gates of the rich.

Let not the devout one say: "I am righteous and that other one is wicked. Yet I come down in the world while he rises higher. He is rich; I am poor. Why should I refrain from wrongdoing when he does what he pleases and all of his doings prosper?"

It is because God means to exclude the wicked one from the future world that God is in no hurry to punish him. God exacts punishment from the righteous for every small dereliction so that the righteous may escape punishment in the world to come.¹³⁹

It may happen that a wicked person was born under the star of wealth and a righteous person under the star of poverty. That is why, for the present, the wicked person does not lose his money because of some trivial doing. If a righteous person is born under the star of poverty, (let it be considered) what numerous merits are needed before the force of that star is overcome. Abraham was born under a star which precluded his having a son. Except for the efficacy of his great merits, Abraham would have had no son.

Therefore let a righteous person withhold himself from wrongdoing even of a puny kind. Let him not envy those who work iniquity. Let him perform numerous meritorious deeds. Let him not say: "What worthy acts could I render! Yet I am poor, unable to maintain myself and my family. Means of subsistence are scant. If only I were wealthy, I would indeed practice benevolence."

Let the saying be remembered: "The Compassionate One desireth the heart." Rabbi Ḥanina ben Dosa was poor; yet the entire world was sustained because of his merits. There was R. Simeon ben Joḥai who spent thirteen years in the cave — to be sure, not giving any charity, and yet the rainbow did not

¹³⁹ We follow the reading of Bologna 530.

appear during his entire career.¹⁴⁰ Better, by far, than benevolence was that with which those people were Divinely credited.

In many ways, the tribulations of poverty bring the righteous an advantage. They might or might not have given as it were fitting for them to give, although it were impossible to imagine Ḥanina ben Dosa failing to give. But the affliction and the woe which he bore in his poverty without so much as a thought of committing imposture or of doing any wrong, God reckoned unto him for good and for merit greater than that of giving. Had Ḥanina ben Dosa been rich, he undoubtedly would have given.

More than this, the entire world was nurtured because of these people's merits, while they themselves were in the throes of poverty and exposed to all of its humiliations. God changed that pain into boon, pouring out good upon the entire remainder of mankind, yes, upon all the world and crediting that righteous one as if he had given with his own hand and had, with his own hand, caused and produced that beneficence. Had the merit of bearing the afflictions and tribulations of poverty been less than that of doing charity, God would have provided those people with wealth.

Again, there is the person, poor but righteous who, had he been wealthy, might have proved vainglorious or might have done that which, in the sight of God, is ignoble.

If thou sayest: "Why did God send him the tribulations and afflictions of poverty and not place upon him troubles of a different kind?" the answer is that God understands the state of this one and the state of that one. It may be that God brings upon him poverty that he might enter upon some marriage alliance which, without the spur of poverty, he might have rejected.¹⁴¹ God commands the angel to carry out the decree of wealth for this one and poverty for that one that certain people might cling together.

Sometimes tribulations and punishments come upon one for

¹⁴⁰ Thanks to the merits of Simeon ben Yoḥai, according to Ket. 77B/30, there was, throughout his career, no need of a rainbow to admonish the wicked by reminding them of the flood.

¹⁴¹ The thought is that, were not the individual in question himself poor, he would not have given his daughter to a poor person in marriage.

having rejoiced at another's downfall. That afflictions, punishments, and tribulations arrive because of such is stated in Prov. 17.5 and 24.17. Sometimes a person's afflictions come upon him because there were people for whom he failed to pray when he should have done so. Or it may have been that, with all his heart and with contrite spirit, he sought of God something which it was decreed he should not have. God deprived him of that in order to bring him other things and in order to make him forget the former and pray for the latter.

There is the person upon whom afflictions descend because he was obligated by law, by Heavenly law, to give something to someone but failed to give it. God brings the afflictions upon him that he might keep paying the physicians until he ponders in his heart: "I shall give to him toward whom I have an obligation." When he thus gives, God removes his sickness, enabling him to know that, because of this, those ills have overtaken him — and rendering him sinless for the world to come.

Some people are poor because their fathers committed wrong, and the sons inherited that money, and destruction was decreed upon that money (Job 20.10, Ps. 109.12, 11). Those descendants do not prosper for the reason that this decree is being fulfilled.

Some are poor because they may once have charged interest or because they may have failed to protest when iniquity was taking place in the city. Or they may have abetted that evil or may have derived pleasure from it.¹⁴² In the end, all of those involved will waste away.

One may become poor because one has failed to hand over a certain gift to one for whom such gift was decreed, or because one spoke arrogantly (I Sam. 2.7, 3), or because one uttered harsh words, saying to the poor: "I will not give to one who is able to toil and able to work,"¹⁴³ or because one spoke of the upright poor contemptuously, or because, instead of aiding one's relatives, one gave to others, God thereupon turning the hearts of those others to dislike the one who gave. See Lev. 25.36, Isa. 58.7.

¹⁴² These two derelictions are mentioned only in Bologna 530.

¹⁴³ The harshness of telling a beggar to go to work is expounded in Lev. Rab. XXXIV, 4, 7. Cf. our note 20.

1953

In the future world . . . good will not be granted to the wicked. Of the wicked will be spoken Prov. 21.25, "His hands refuse to labor," that is, to give to the poor . . . There is the man whom God makes a ruler like Ahab or Nebuchadnezzar. Then there is the man who lacks bread. There is the rich man who knows not how much money he has. However, he has no compassion to bestow upon the poor . . . Nothing in the world did God make in vain; above all not the things that will be in the generation of the Messiah.

1958, 532

The Torah forbids interest charging because, while the borrower derives an advantage, the lender suffers no disadvantage (which would justify compensation); also because, if interest charging were permitted, people would cease to render one another acts of lovingkindness. People would say: "The Torah permits an interest charge (as compensation) for the lender, though the lender suffer no disadvantage as he confers the benefit upon the borrower. Where the benefactor does suffer a disadvantage while conferring a benefit on someone, all the more should he refuse to render uncompensated service."

Beyond what is needed for one's livelihood, one is forbidden to lend on interest even to a Gentile; for if one lends on interest to a Gentile and sees how one can gain something without effort, one will get to lending on interest also to Jews.

(It is different) in purchase and sale. Here the Torah permits a profit up to one sixth; for people can say: "Do I buy and sell only to be called a merchant?"¹⁴⁴ The thought is that a profit of one sixth is permissible because of one's efforts and one's trouble. But there is no effort in the situations connected with the charging of interest.

And, if it be said as regards interest charging that the lender

¹⁴⁴ That people are not in business "for their health," as we say in modern parlance, B. M. 40B/33 expresses in Talmudic parlance.

might otherwise have made some profitable use of his money,¹⁴⁵ still what he actually did was but a case of "sitting and doing naught."

Again, interest charging is forbidden because the poor borrower may have no means of paying, while the creditor may increase the rate of interest as he pleases.

The poor person might say: "It were better to steal than to borrow at interest." This is the point to Ex. 22.24. The poor person might ask: "By what other means can I obtain that which (without interest) he refuses to lend?"

If there be on hand a Gentile offering to pay interest and, at the same time, there be on hand a poor Israelite, one should lend to the Israelite without charge and not to the Gentile on interest. God will requite such a lender, over and over.

The verses, Deut. 23.20, 21, stand between verse 19, referring to (harlot's hire and) vows, and verses 22-24 also referring to vows. The thought is that interest charging is as obnoxious unto the Lord as the hire of a harlot and that one should not bring a sacrifice purchased with interest money. One should not say: "I shall perform a sacred act. I shall charge interest and, with it, fulfill my vow." The exploited borrower has no means for bringing a sacrifice, even though that would be performing a sacred act.

Interest is an abomination unto the Lord, even though the borrower pays it willingly. The passage occurs (B.M. 75B/11, 12, Ex. Rab. XXXI, 6) that the punishment for interest charging alights on five different persons: the lender, the borrower, the endorser, and the two witnesses to the transaction. Corresponding to these five, the root for the word "interest" appears in five of the words in Deut. 23.20.

1967, 544

If one who rears orphans finds his charges inclined to turn out badly and yet says: "How can I subject them to correction?" — such a one incurs a drawback offsetting his reward.

¹⁴⁵ Where Parma 1958 reads מרויח היה, Bologna 532 reads: הרי מרויח.

What Job 22.9 and 31.21 allude to is one who chastises without justification. It is otherwise when it comes to correcting. See Deut. 8.5. It is meritorious to chastise the orphans lest they stray into the ways of error. But it is not meritorious to vent upon them one's vindictive rage.

Bologna 32

Whoso loveth to accept rebuke and to perform acts of charity and of kindness, entertaining wayfarers and praying with devotion, shall not, though he dwell outside of Palestine, undergo the scourging of his grave by demons, nor shall he ever behold Gehenna.

Bologna 61

Therefore let a man ever supplicate God to send his way people who are worthy.¹⁴⁶ . . . Even a poor person who is being maintained by charity should practice charity. It is necessary that everyone, whether rich or poor, give according to his strength, a regular sum of a penny or a half-penny a week.

One should not fail to show that he is a servant of the Almighty. Whatsoever one gives is a ransom for one's soul.

Every little coin adds up to a large amount.¹⁴⁷ A poor person who can not give abundantly can perform meritorious deeds of personal service.

A charity administrator is forbidden to constrain a poor person to perform acts of charity. An administrator who does this becomes as one who robs. He robs from this one and gives to that one.

¹⁴⁶ Bologna 61 contains parts not duplicated in Parma 840, 841, 842, and those unduplicated parts are pertinent to our subject.

¹⁴⁷ The thought is derived from B. B. 9B/3.

Grateful acknowledgment is due the proof-reader, Dr. Menahem G. Glenn who, by calling attention to numerous errors, brought about their correction.

APPENDIX

NUMERICAL ORDER OF BOLOGNA PARAGRAPHS,
CORRESPONDING PARMA NUMBERS,
DIVERGENT NUMERATIONS OF THE BOLOGNA *Editio Princeps*

Bologna	Editio Princeps	Parma	Bologna	Editio Princeps	Parma
32		0	513		1890
61		840	532		1958
61		841	544		1967
61		842	579		863
155		2	591		15
156		2	611		33
164		15	611		34
170		35	623		79
181		112	656		127
241		356	665		137
242		357	666		138
315		844	667		139
315		845	668		141
316		848	734	735	333
316		849	738	739	337
317		857	739	740	337
318		858	764	762	1592
318		859	765	763	1593
318		860	862	865	620
318		864	868	872	672
319		868	869	873	673
321		879	869	873	674
321		880	870	874	675
324		889	871	875	676
325		893	871	875	677
326		900	872	876	678
327		901	873	877	670
328		904	874	878	669
329		905	875	879	1739
329		906	876	880	1739
329		907	947	951	763
330		908	951	956	773
331		909	1000	1004	1500
332		912	1001	1005	830
332		913	1001	1005	831
333		919	1002	1006	832
361		1029	1004	1008	1487
395		1216	1024	1028	852
395		1247	1025	1029	852
397		1229	1026	1030	853
415		1345	1027	1031	854
418		1396	1028	1032	1678
507		1163	1029	1033	1678

Bologna	Editio Princeps	Parma	Bologna	Editio Princeps	Parma
1030	1034	1681	1049	1053	1709
1031	1035	1683	1050	1054	1710
1032	1036	1684	1051	1055	1711
1033	1037	1685	1052	1056	1711
1034	1038	1691	1053	1057	1698
1034	1038	1692	1053	1057	1699
1035	1939	884	1054	1058	1706
1036	1040	1696	1055	1059	903
1037	1041	862	1056	1060	900
1038	1042	861	1065	1070	1210
1039	1043	1707	1066	1071	1211
1039	1043	888	1067	1072	1215
1040	1044	865	1070	1075	1225
1041	1045	866	1074	1079	1232
1042	1046	867	1075	1080	1233
1043	1047	891	1076	1081	1233
1044	1048	892	1077	1082	1233
1045	1049	898	1078	1083	1233
1046	1050	914	1080	1085	1245
1047	1051	1715	1082	1087	1250
1048	1052	917	1112	1118	1432
1049	1053	918	1171	1177	273

THE HOUSE OF THE PEOPLE

FRANZ LANDSBERGER, Hebrew Union College, Cincinnati

DURING my inquiries, as a historian of art, into the origin of the synagogue, I have repeatedly come upon the expression, "The House of the People" (בית העם). The term appears, for the first time, in Jer. 39.8: "And the Chaldeans burnt the king's house and the house of the people with fire. . ."

It has long been recognized that these words, like the entire account in which they are set, allude to events reported in Jer. 52 and in II Ki. 25 where the fall of Jerusalem is treated in detail: "And he (Nebuzaradan, captain of the Babylonian king's forces) burnt the house of the Lord and the king's house, and all the houses of Jerusalem, even every great house burnt he with fire." On the basis of this connection, the customary interpretation of Jer. 39.8 has been that "House of the People" was originally "Houses of the People," in the plural, or that the phrase is to be taken collectively, corresponding to the houses, other than the Temple and the royal palace, mentioned in Jer. 52.13 and in II Ki. 25.9.

Regarding this matter, Leopold Loew, the well known authority on the ancient synagogue, strikes out on a line uniquely his own.¹ Loew understood by "The House of the People" a town hall or a council building where, already in the era of the kings, citizens of Jerusalem would sit in deliberation. Loew connects the passage in Jer. 39.8 with an occurrence of the phrase from a much later period. The Babylonian Talmud (Shab. 32a) has the sentence: "It was taught: R. Ishmael b. Eleazar said: On account of two sins ignorant men die; because they call the Holy Ark (ארון הקדש) ■ chest (ארנית), and because they call a synagogue (literally, house of assembly) a house of the people."

¹ In the article, "Der Synagogale Ritus," *Monatsschrift fuer Geschichte und Wissenschaft des Judentums*, XXXIII, 1884, pp. 97 ff., reprinted in *Gesammelte Schriften von Leopold Loew*, IV, Szegedin, 1898, pp. 1 ff.

From this second appearance of that appellative, Loew drew some far reaching conclusions. The synagogue had previously been regarded as a purely religious institution, one whose origin, considering its architecture and its functions, was to be sought in the sphere of worship. But, according to Loew, "The House of the People" betrays that "the synagogue originated not in the cult but in civic affairs." The town hall was the original place of assembly. When, in later times, synagogues were housed in separate buildings, the expression, "House of the People," continued in popular use. It is against this usage that the Talmud inveighs. During the period in which the Temple lay in ruins, the synagogue acquired a deeper and ever deeper religious significance. With such sacredness, it poorly comported to recall the synagogue's secular origin and to label it "House of the People."

Loew believed that the expression "chest" for the Holy Ark was banned for similar reasons. A chest doubtless stood in the town hall for holding various public documents. Loew surmises that, as the synagogue evolved out of the town hall, so did the repository of the Torah scrolls evolve out of this chest. This repository, according to Loew, became, in time, an object of such growing veneration that none but an ignoramus would call it by its former name.

Loew's theory, little noticed in 1884 when first propounded, has recently won considerable favor. Louis Finkelstein, in an article on "The Origin of the Synagogue,"² traces the Synagogue to religious gatherings led by the prophets. Finkelstein then amplifies his view with that of Loew. Says Finkelstein: "Is there not a possibility that, as the prayer gatherings grew in size and importance, they were transferred from private dwellings into specific buildings and frequently into town halls?" Solomon Zeitlin, also inquiring into "The Origin of the Synagogue,"³ puts the beginnings of the synagogue in a period later than that of Finkelstein, namely, in the period following the return from the Exile. But, like Loew, Zeitlin finds the origin of the synagogue

² *Proceedings of the American Academy for Jewish Research* 1928-1930, pp. 49 ff.

³ *l. c.* 1930-1931, pp. 69 ff.

in secular assemblies and discerns, in the worldly implications of a town hall, the reason for the Talmudic restriction. "The Rabbis," he argues, "were greatly opposed to the secularization of the synagogue and they even said that the *עם הארץ* were dying young because they called it the people's house."

Relying upon such authoritative pronouncements, I felt justified in tracing the synagogue architecturally to the town hall and deriving the Holy Ark from the Jewish public chest.⁴ New insights arrived when studies in the origin of the synagogue led me to the scriptures of the Mandaeans, coming to my attention in the excellent editions of Mark Lidzbarski. Here we find the "House of the People," in Aramaic *בית עמא*, and we perceive that our learned authority had identified the "House of the People" with the Temple at Jerusalem.⁵ To give an example of the way in which these words are used: In the Mandaic *Book of John*, the birth of John, the Baptist, supremely revered in that sect, is preceded by dreams of extraordinary happenings. "Fire was put⁶ to the house of the people, smoke ascended from the Temple (*בית מקאדשיא*).⁷" This poetic parallelism shows that sometimes the Temple was called *בית עמא* and sometimes *בית מקאדשיא*.

Another example lurks in a striking tale which claims, as a follower of the Mandaeans, Mary, the mother of Jesus. In one of the Mandaic liturgies, it is said of Mary: "She hateth the house of the people but loveth the gates of the Tabernacle." By "house of the people," in the time of Mary — notably in its singular form — only the Jewish Temple could have been contemplated. The Mandaean house of worship carried the designation *מאשכנא*,⁷ tabernacle, derived from the Biblical "Tent of Meeting."

⁴ Cf. *A History of Jewish Art*, Cincinnati, 1946, p. 129 and pp. 146 ff.

⁵ Cf. Mark Lidzbarski, *Ginza, der Schatz oder das grosse Buch der Mandaeer*, Goettingen, 1925, p. 50, note 1. The expression occurs again in *Das Johannesbuch der Mandaeer*, ed. Mark Lidzbarski, I, *Text*, Giessen, 1905, pp. 26, 127 ff., and II, *Einleitung, Uebersetzung, Kommentar*, Giessen, 1915, pp. 75 ff., 126 f.

⁶ According to Lidzbarski's note to the German translation, this passage in the *Johannesbuch der Mandaeer*, II, p. 75, could also mean "to catch fire." I take this opportunity of warmly thanking Dr. Alexander Guttman for his never-failing readiness and willingness to assist me in matters linguistic.

⁷ Mark Lidzbarski, *Mandäische Liturgien*, Berlin, 1920, p. 211. According to Wilhelm Brandt, *Die mandäische Religion*, Leipzig, 1888, p. 97, the

The sect of the Mandaeans originated in Jewish Palestine. Hence our warrant for assuming that the words, "House of the People," reflect Jewish parlance. The question arises whether the Temple at Jerusalem may not be intended also by the last words in Jer. 39.8 "And the Chaldeans burnt the king's house and the house of the people."

Of all who have commented on this passage, only one has, thus far, ventured this exegesis, namely, Isaac Abravanel, the great Biblical commentator at the close of the Middle Ages. Abravanel attracted no following. Yet, today, basing ourselves on the Mandaic Scriptures, we seem justified in lending new importance to this interpretation.

In the above cited parallels to our passage from Jeremiah, the subject essentially under discussion is that of the Temple and the royal palace. Is it not strange that, in Jer. 39.8, mention should arise of the royal palace yet not of the Temple whose destruction by fire must have cut every Jew to the heart? The attempt has been made to explain the absence of that word as a flaw in the text, the word "Temple" having stood there originally but having fallen out through scribal error.⁸ Such ingenious explanations become superfluous if we assume that the Temple is forgotten by no means, but that it appears there under the queer expression "House of the People."

Yet how can we reconcile this explanation with the above quoted Talmudic caution against applying the expression, "House of the People," to the synagogue? Loew and those who accepted his view surmised that there was to be no reminder of the synagogue's secular origin. But what about the possibility of the very opposite — shunning "House of the People" not because it was too worldly but because it was too holy? The Talmud (R. H. 24a) contains the passage: "A man may not make a house in the form of the Temple, or a porch (*exedra*) in the form of the Temple-porch ('*Ulam*), or a court corresponding to the Temple-Court, or a table corresponding to the table (in the

Mandaic Temple, like the Jewish Temple, might be entered only by the priests and their assistants, not by people in general.

⁸ So R. H. Graf, *Der Prophet Jeremia*, Leipzig, 1862, p. 465, and Heinrich Ewald, *Die Propheten des Alten Bundes*, 2nd edition, Goettingen, 1868, p. 30.

Temple), or a candlestick corresponding to the candlestick (the seven-branched candelabrum in the Temple of Herod)." In like spirit, it may have been forbidden to say "House of the People." Like the Temple's architecture and its sacred equipment, so also its name was to be reserved for the Temple exclusively.

The rule against using the word אֲרוֹן for the 'Aron Haḳodesh can be similarly explained. In the Bible (Exod. 37.1), that word refers to the Ark which was once kept in the Tent of Meeting and later conveyed, in solemn procession, to the Temple of Solomon. That is why it is permitted to call a Torah cabinet an 'Aron Haḳodesh. 'Aron Haḳodesh is a new word, not connected with the first Sanctuary's holiest implements. אֲרוֹן was forbidden because that word did designate a Temple appurtenance. In Shab. 32a, accordingly, we should not translate אֲרוֹן "chest" and not construe it as a repository for public documents but should understand by it the Ark of the Covenant.

How the Temple ever came to be called "House of the People" is the question that remains. Abravanel proffers the explanation that "House of the Lord" had to be discarded because, after the Temple was destroyed, the Shekinah, the Divine Spirit, had departed from that place. Still, why is it that "House of the Lord" is used in both of the parallel passages without any misgivings? Moreover, Abravanel's comment touches only the negative aspect, why "House of the Lord" is avoided. It fails to explain why, with reference to the Temple, "House of the People" is used.

If I may be permitted a religio-historical observation, I would suggest the following: The post-exilic period which is the period from which the interpolation of Jer. 39.8 dates, brought about an increasing identification of the people with the cult. That was the period in which the entire nation became portioned into twenty-four divisions (מעמדות) which, by rotation, participated, through their several representatives, in the sacrificial rites at Jerusalem and which remained locally intact for purposes of prayer and of reading from the Torah.⁹ In this way, the entire

⁹ For further details, see: M. Rosenmann, *Der Ursprung der Synagoge und ihre allmaehliche Entwicklung*, Berlin, 1907, pp. 17 ff.; S. Krauss, *Synagogale Allertuemer*, Berlin-Vienna, 1922, pp. 66 ff.; and Ismar Elbogen, *Der*

nation took part in the cult, and the expression "House of the People" may have served to indicate that national point of convergence.

We are further reminded of Ps. 107, a post-exilic composition.¹⁰ In verse 32, those who have been delivered from trouble are admonished:

"Let them exalt Him also in the assembly of the people
(בקהל עם),

And praise Him in the seat of the elders."

This "assembly of the people" in which God is praised was more likely a religious assembly than a secular one and may have been located within the Temple precincts. We should then have an "assembly of the people" corresponding to the "House of the People" before which the assembly would be held.

Finally, it needs elucidating how, as the Talmudic prohibition intimates, the expression "House of the People" came to be transferred from the Temple to the synagogue. In Jewish literature and in various reports and inscriptions, the synagogue, as is well known, bears a variety of names. Some of these distinctly betray Temple derivation. In countries of the Greek-speaking diaspora, like Egypt and Italy, we meet the word *προσενχή*, "prayer," and we recall that, in the Second Isaiah (56.7), God, alluding to the Temple, announces: "My house shall be called a house of prayer," *οἶκος προσενχῆς*, in the Septuagint translation. Josephus (Jewish War VII, 3,3) speaks of the synagogue at Antioch as a *ἱερόν* which translates the word *מקדש* used of the Temple by Ezekiel (11.14). In like manner, the expression "House of the People" may have come to be a name for the synagogue and may have gotten to be especially favored by the multitude — at least until the Talmud interposed its objections.

The reader who accepts these conclusions will no longer

juedische Gottesdienst in seiner geschichtlichen Entwicklung, 2nd edition, Frankfurt a. Main, 1924, pp. 236 ff.

¹⁰ The *International Critical Commentary*, p. 358, dates it more precisely "not earlier than the Greek period," while the most recent commentator on the Psalms, B. D. Erdmans, *The Hebrew Book of Psalms*, Leyden, 1947, p. 494, assigns the psalm to the period of Zerubbabel.

regard "House of the People" in Jer. 39.8 as evidence that the synagogue, either as an institution or as an edifice, can be traced to the town hall of the regal epoch. Concordant with its purpose, the synagogue was a religious manifestation from the beginning. So far as its physical structure is concerned, the synagogue may have received some incentives from the worldly realm. But those incentives do not go as far back as the era of the kings; and they are not of Jewish but of heathen inception. It was the Hellenistic basilica, used by Greeks and Romans as market place, stock exchange, and law court that served as the model for the synagogue — at least for a synagogue accommodating large crowds. By a slow development, the Jews adapted this worldly structure to their religious needs and handed it on, as I believe, to the Christians. That, however, is an event in the history of art on which I hope to elaborate elsewhere.

QUOTATIONS AS A LITERARY USAGE IN BIBLICAL, ORIENTAL AND RABBINIC LITERATURE

ROBERT GORDIS, Jewish Theological Seminary of America

I

RECENT discoveries of Egyptian and Babylonian Wisdom literature have stimulated a renewed and fruitful interest in Biblical Wisdom and shed light on countless features of this fascinating aspect of Hebrew thought and creativity. Yet, as is to be expected, there still remain many unsolved problems in this field where a fresh approach, coupled with light from our new Oriental sources, can prove highly helpful.

Particularly striking are the many passages, pre-eminently in Ecclesiastes and to a lesser degree in Job, which scholars have found irrelevant and even contradictory to the tenor of the book in question. Thus the problem of Ecclesiastes has a long history and has been met in varying ways in modern times.¹ In the eighteenth century, the view was prevalent that the book of Koheleth is a dialogue between a refined sensualist and a sensual worldling, or between a pupil and a teacher, or a record of conflicting views of academies of learned men.² Another way of accounting for the apparent contradictions of the book is the theory, first suggested by Van der Palm, adopted by Graetz, and elaborated by Bickell, that the book was written on leaves that were subsequently disarranged. More recently, the theory

¹ The history of the interpretation of Ecclesiastes until the middle of the 19th century is exhaustively treated in C. D. Ginsburg, *Cohleleth* (London, 1861) pp. 27-223. The more recent trends are surveyed in G. A. Barton *ICC on Ecclesiastes* (New York 1908) pp. 18-31; W. H. Hertzberg, *Der Prediger* (Leipzig, 1932) pp. 54-67 and R. H. Pfeiffer, Introduction to the O. T. (New York, 1941) p. 875 who gives a conspectus of the literature.

² So Döderlein, Tyler. Cf. Barton *op. cit.* p. XXI.

of composite authorship was tentatively advanced by Haupt, and worked out by Siegfried, who divided the book among nine authors.

Today the critical theory is less extreme. It argues that the essentially heterodox and unconventional writings of Koheleth were subjected to wide and persistent interpolation, in order to make them acceptable to the orthodox. Jastrow finds over 120 interpolations in a book of 222 verses; Barton claims that a *Hasid* glossator is responsible for 15 important additions, and that a *Hokmah* interpolater is the author of 30 more, aside from many minor changes. Volz eliminates an equal number of passages, which do not, however, coincide with Barton's. Eissfeldt protests against the assumption of composite authorship, and assumes only nine pious additions. However, he saves the authenticity of the text only by assuming that there is no clear-cut, integrated philosophy in Koheleth, merely a series of rambling reflections that often contradict one another.³

In Job, there are more complex problems, such as the integrity of the various sections and the obvious disorder and lacunae of the Third Cycle (chap. 22-31), which cannot be solved merely by excision. Far-reaching rearrangements of material have been suggested.⁴ Nonetheless, the assumption of interpolations has been widely held. Thus in chapter 12, which contains 25 verses, Grill and Siegfried eliminate twenty-two, Driver-Gray delete nine, Jastrow omits twelve in whole or in part, while Volz retains

³ Barton, *op. cit.*; Jastrow, *The Gentle Cynic* (Philadelphia, 1919), pp. 245-55; Volz, "Hiob und Weisheit" (*in die Schriften des A. T.*, Göttingen, 1921), pp. 235; Eissfeldt, *Einleitung in das A. T.* (Tübingen, 1934), p. 558.

⁴ Duhm, *Das Buch Hiob erklärt* (Freiburg, 1897) *passim*. Driver-Gray *ICC on Job* (2 vol. New York 1921) more conservatively, eliminate about 30 verses in the first 23 chapters of Job (Vol. 1, p. xxxvii, n. 1, and pp. xlix f.). Torczyner (*Das Buch Hiob*, Vienna, 1920), whose procedure is extremely arbitrary, emphasizes that he does not excise any passage from the book; he merely rearranges several hundreds of them (Preface, p. viii). This method is carried further in his Hebrew Commentary (Jerusalem, 1941). For a criticism of Torczyner's method, see Prof. Kemper Fullerton, "Job, Chap. 9 and 10" in *AJSL*, Vol. LV (July 1938) pp. 263-7. Cf. also David Yellin, *Higre Miqra'-Iyyob* (Jerusalem, 1927) who rearranges Chap. 7, 19 and 20 completely.

only five verses of the total.⁵ In Job ch. 21, widespread excision and emendation have resorted to in order to make vv. 19-34 relevant and intelligible, the net result often being the creation of impossible Hebrew.⁶

This theory of widespread interpolation by uncomprehending or hostile readers, is losing ground increasingly among contemporary scholars.⁷ Thus Aage Bentzen observes: "The separation of

⁵ Siegfried omits 12.4-13.1; Grill (*Zur Kritik der Komposition des Buches Hiob*) omits 12.4-13.2. Driver-Gray delete 12.4-12 (*op. cit.*, vol. 1, p. 111). Volz leaves only five verses in Job's speech (12.2, 3, 11, 12; 13.2), and transfers the remainder (12.4-10, 13-25; 13.1) to Zophar in chap. 11 (*op. cit.*, p. 39 f.), Jastrow (*op. cit.*) omits vv. 4c, 5 in part, 6c, 10, 12, 13, 17-19, 22, 23, and 25. Ball removes vv. 4c, 6, 10 (doubtfully), and 13. Budde, on the other hand argues forcefully against Grill and Siegfried's procedure (*Das Buch Hiob, ad loc.*; also *ThLZ*, 1891, no. 2). Dhorme places vv. 11-12 before v. 9.

⁶ The variety of views may be studied in Driver-Gray, Budde, Ball and Dhorme. A few examples may be noted here. Thus vv. 21b, 22-26 are eliminated by Volz. Dhorme reads v. 19a as a question, "Does God save his sin for his children?" Ball emends v. 22a to read: הֲלֹא אֵל יִלְמַד דָּעַת "Shall not El teach knowledge?" He understands this (p. 293) to mean that Job argues, "Should we not rather observe what God actually does rather than assert a priori notions of what he ought to do?" This interpretation seems far-fetched. Driver-Gray and Torczyner eliminate v. 22 as a gloss. Since v. 30 is obviously out of harmony with Job's views, scholars have generally accepted the emendations of לִיּוֹם into בִּיּוֹם and יִבְלֶה into יִצָּל (Siegfried, Beer, Steuernagel, Budde, Volz,) or יִבְלֶה "will rejoice" (Dhorme), reading the verse:

בִּי כִּיּוֹם אִירָחֶשֶׁךָ רָע בִּיּוֹם עֲבָרוֹת יִצָּל

"In the day of calamity the sinner is spared,
In the day of wrath he is saved. "(or, happy)."

Ball objects that these changes are graphically too extreme and reads:

כִּי מֵאֵד יִחֻשֶׁךָ רָע וּבִיּוֹם עֲבָרָה יִפָּלֵט

"That the bad man is kept from calamity
And in the day of wrath he escapes."

Aside from the linguistic difficulties involved in these renderings, the problem of why these changes were introduced is entirely overlooked. A solution to this question is presented below.

⁷ For a recognition of the basic unity and integrity of Qoheleth, from varying points of view, cf. Ludwig Levy, *Das Buch Qoheleth* (Leipzig 1912) pp. 57-9; D. B. MacDonald, *The Hebrew Philosophic Genius* (Princeton, 1936)

sources is sometimes driven to a caricature, as in *Ecclesiastes* and *Job*. The British pun: Is the Pentateuch Mosaic or a Mosaic? is not only characteristic for the sentiment among opponents of literary criticism, but also among the younger generation of scholars as a whole."⁸

A decade ago, the present writer was led to reject the practice of wholesale deletions in the text of the Wisdom books as being unnecessary and therefore unconvincing.⁹ The considerations that justify this conclusion are both general and specific:

1. In many instances the ratio of "interpolations" to "authentic" material is extremely high, as has been noted above. That the superstructure is more extensive than the foundation is theoretically possible, but not likely, if another, less complicated explanation is available.

2. A convincing motivation for these alleged interpolations is lacking. What need was there for making the heterodox verses of *Ecclesiastes* palatable to the orthodox, when the entire book might just as easily have been ignored or consigned to the *genizah* as happened with the Apocryphal and Pseudepigraphic books, many of which were far less objectionable to the alleged orthodox sentiment of the time.

3. The lack of textual proof for the theory. All the Versions, including LXX, the earliest witness, offer no support for the assumption, but reproduce, as faithfully as their resources permit, these allegedly interpolated passages in their translations. This is particularly true of *Ecclesiastes*,¹⁰ which has been most exposed

H. W. Hertzberg, *Der Prediger* (Leipzig 1932); M. Haller and K. Galling, *Die Fünf Megilloth* (Tübingen, 1940) R. Gordis, *The Wisdom of Ecclesiastes* (New York 1945); J. J. Weber, *L'Eclésiaste*, (Paris, 1947) and note 9 below.

⁸ Cf. his *Introduction to the O. T.*, vol. 1 (Copenhagen, 1948, p. 13.)

⁹ Cf. "Quotations in Wisdom Literature," *JQR*, 1939, pp. 123-47; also "Mabo Lesafut Hakokmah" ("Introduction to Wisdom Literature" in Hebrew) in *Sefer Hashanah Liyehude Amerika*, New York 1942 (pp. 117-148); "The Heptad as an Element of Biblical and Rabbinic Style, *JBL*, 1943, pp. 12-26; "The Social Origins of Wisdom Literature" in *HUCA* 1944, pp. 77-118; and *A Commentary on Ecclesiastes* recently completed and still unpublished.

¹⁰ On the LXX of *Ecclesiastes*, cf. S. Euringer, *Der Masorahstext des Qoheleth* (Leipzig, 1890) H. Graetz *Koheleth* (Leipzig, 1871) pp. 173-9. A.

to the theory of interpolation, and where LXX is as meticulously exact as Aquila in rendering the text, with no lacunae.¹¹ There is no evidence of a recension differing from our Masoretic text

Dillmann, in *Sitzungsberichte der Kgl. Akad. der Wissenschaften zu Berlin* 1892, vol. 1, pp. 3-16; MacNeile *Intr. to Ecclesiastes* (Cambridge, 1904) pp. 115-34; Barton, *op. cit.*, p. 8-11; Hertzberg, *op. cit.*, pp. 4-6; Kamenetzky in *ZATW*, 1904, pp. 181-239. The extreme literalism of the translation and the rendering of $\Pi\aleph$ by $\sigma\upsilon\nu$ (in 32 out of 72 cases) naturally recalled Aquila, to whom Graetz attributed the version. However, since the LXX text differs from the Origenic fragments in Field, McNeile suggested that our present LXX text represents the *editio prima* of Aquila, and the fragments, the *editio secunda*. Jerome refers to a second edition of Aquila, "quam Hebraei *kata akribeia* nominant" (*Comm. in Ezech.*, ed. Mique, PL, vol. 25, p. 39). To be sure, Jerome mentions this second edition of Aquila only for Jeremiah, Ezekiel and Daniel, but that may be purely accidental. There is no reason for assuming that only these three books were revised. (Ag. Podechard, Hertzberg). This explanation is far more reasonable than Dillmann's theory that the LXX was revised "in the spirit of Aquila" and more plausible than Podechard's unsubstantiated view (which Hertz accepts) that the literalistic technique of translation was not limited to Aquila. After all, we find no evidence of this method in any other Greek version of any other biblical book. On the other hand a parallel to this Aquilan version "usurping" the place of the LXX exists in Daniel, where Theodotion has pre-empted the place of LXX and in the Aramaic Targum of Proverbs, which is strongly influenced by the Peshita, if it is not an actual recension. Barton's judgment that LXX "at all events was made from a text which differed a good deal from our present Hebrew" (p. 10) is not validated by a fresh study of the evidence. Our forthcoming Commentary will, we trust, demonstrate that the changes are minor and validate MT at nearly all points, the conclusion to which Euringer was led in his study. The Aquilan fragments collected by Montfauçon and Field are even closer to M T. If as Pod. believes, our present LXX is an originally non-Aquilan version revised along Aquilan lines, it would be even older than the 2nd century C. E., the date given in the text above.

¹¹ The situation with regard to the LXX of Job is more complex. Our present LXX text contains additions from Aquila, Symmachus and principally Theodotion. These additions were supplied because the original LXX was doubtless a briefer recension of the book. This shorter translation was probably induced both by the difficulties of the Hebrew Text and by what appeared as redundancies to Greek readers, unaccustomed to parallelism and other aspects of Semitic rhetoric. The Sahidic version probably testifies to the pre-Origenic text of Job (Ciasca, against Burkitt). Nonetheless, "in the main the Hebrew, as far as the extent is concerned, represents an earlier text than the Greek." (Driver-Gray, *ICC on Job* vol. 1, p. LXXVI, cf. pp. XLIX, LXXI ff.) It is noteworthy that LXX omits only 2 verses and 3

underlying the Greek Versions of either Job or Ecclesiastes, as is the case with Jeremiah¹² and Ezekiel.¹³

4. Since the Wisdom books were written in the post-exilic period, the theory must crowd many steps into a relatively short span of time. These include the composition of the book, its attaining to popularity, its arousing objections among conventional readers, the addition of interpolations, and finally their integration and acceptance as part of the original text, so that the work would be accepted as canonical and hence translated into Greek as Scripture. All this must be assumed to have occurred within some three centuries. For at the Council of Jamnia 90 C.E., the position of Job and Ecclesiastes might be theoretically discussed, but they could not be dislodged from the Canon,¹⁴ and the LXX translation of Job and Ecclesiastes are dated at 100 B.C.E. and at the very latest, 150 C.E., respectively.¹⁵

stichs in ch. 12 (8b, 9, 18b, 21a, 23). In ch. 21.19-34, LXX omits vv. 19b, 23, 28-33 and in many of these cases "the removal of the passages in the Greek destroys the poetical structure" (Driver-Gray, p. LXXV). All in all, the evidence is clear that in contending with a difficult text like Job, the translator contracted his original and thus simplified his task. It should also be recalled that the Elihu speeches (ch. 32-33) the authenticity of which has been generally denied, are translated in LXX, and were included in the Greek version by 100 B. C. E., as evidenced by the passages extracted by Eusebius (*Praeparatio Evangelii* IX 25 from Alexander Polyhistor (80-40 B. C. E.) who cites Aristeas' referring to Elihu as a character in the book.

■ Cf. the radically different order in *Jeremiah*, where aside from other interruptions and changes, the section 25.15-45.5 in the Masoretic Text has changed places with 46.1-51.64 in the Greek. See H. B. Swete *Int. to O. T. in Greek* (Cambridge 1914) p. 241 f.

¹³ Cf. the epoch-making study by C. Cornill, *Ezekiel*, Prolegomena; also G. A. Cooke *ICC on Ezekiel* (New York, 1937) vol. 1, pp. XC ff.

¹⁴ Cf. F. Buhl, *Canon and Text of the O. T.* (Edinburgh, 1892) pp. 3-32; H. E. Ryle, *Canon of the O. T.* (2 ed, London, 1909); M. L. Margolis, *the Hebrew Scriptures in the Making* (Phila. 1922) pp. 88-96; S. Zeitlin, *An Historical Study of the Canonization of Hebrew Scriptures* in *Proc. of Am. Acad. Jew. Research*, 1932, vol. 3, pp. 121-8; R. Gordis in *HUCA, op. cit.*, p. 119, note 85.

¹⁵ On the date of the LXX of Job cf. Driver-Gray, *op. cit.*, vol. 1, p. LXV, note p. LXXI; Swete, *op. cit.*, p. 25; on the date of the Greek of Ecclesiastes, cf. Barton *op. cit.* p. 8 ff.; Swete, *op. cit.*, p. 26. This late date for Ecclesiastes

5. In most instances, the alleged interpolations in Biblical Wisdom books cannot be removed without leaving the rest of the passage hanging in the air. Cf. e. g. Eccl. 2.13, 14:

וראיתי אני שיש יתרון להכמה מן הסכלות כיתרון האור מן החשך: החכם עיניו בראשו והכסיל בחשך הולך וידעתי גם אני שמקרה אחד יקרה את כלם
To remove 13 and 14a, leaves גם אני וידעתי, which is adversative, as גם indicates, without any connection or meaning.¹⁶

An even more complex situation exists in Eccl. 8.11-14:

אשר אין נעשה פתנם מעשה הרעה מהרה על כן מלא לב בני-האדם בהם לעשות רע: אשר חטא עשה רע מאת ומאריך לו כי גם-יודע אני אשר יהיה טוב ליראי האלהים אשר ייראו מלפניו: וטוב לאי-היה לרשע ולא-יארריך ימים כצל אשר איננו ירא מלפניו האלהים: יש הבל אשר נעשה על הארץ אשר יש צדיקים
אשר V. 11 and 12a express the idea, appropriate to Koheleth, that retribution is slow, and v. 14 that it is uncertain, some righteous men receiving the penalty due the wicked and vice versa. Vv. 12b and 13 on the other hand, express the conventional idea that those who fear God will fare well, and those who do not, will not live long. It is easy to delete these latter verses on the ground that they are the interpolations of a pious reader, but that does not meet the issue, for several reasons:

a) The ideas in vv. 11, 12a and 14 are not really heterodox. That retribution is slow and not without seeming exceptions could be conceded by a conventional believer; in fact, it is part of the theodicy of Job's Friends (Job 8.12 ff.; 15.20 ff.; 18.5 ff.; 20.4 ff.). It does not follow, therefore, that a pious reader would feel the need for a refutation. On the other hand, the idea expressed in v. 14 that the righteous and the wicked may meet the

assumes that our present LXX version is the work of Aquila. If it be authentically Septuagintal, its date would be earlier and the argument in the text even stronger. On the character of this version, see note § above.

¹⁶ The rendering of this clause "and I also knew" (JPSV) is incorrect because that would have been expressed by וְגַם אֲנִי יָדַעְתִּי, besides being meaningless here. The clause means "But I know." On the adversative use of גם, an earmark of Koheleth's style (4.8, 14; 6.7; 8.17), cf. Jer. 6.15; 8.12; Ez. 16.28; 20.15, 23; Ps. 23.4; 95.9; 129.2; Neh. 5.8 and see BDB s. v. גם sec. 5, 6 and the parallel use of אֲנִי s. v. sec. 1, end. In this passage, Siegfried omits vv. 13, 14a, while Barton retains them. Levy regards v. 14a as a conventional proverb but not v. 13, which is a possible view.

same fate, is much more uncompromisingly expressed in 9.2: **הכל כאשר לכל מקרה אחד לצדיק ולרשע לטוב ולטהור ולטמא ולזבח ולאשר איננו זבח כטוב כחטא הנשבע כאשר שבועה ירא**. The interpolation would have been much more appropriate here, yet here none occurs!

b) The style of vv. 12b and 13 is replete with characteristics of Koheleth; **כי גם** (cf. 8.16; 9.12); **ידע אני** (cf. 2.14); **יראי אלהים** (cf. 2.14); **כצל** (cf. 6.12); **אשר ייראו מלפניו** (cf. 2.26; 7.18, also 9.7).

c) The removal of 12b and 13 leaves 12a isolated in the context.

These objections made it increasingly clear that the assumption of widespread interpolations in Biblical Wisdom literature could no longer be maintained. A new approach was required which would reckon with the complete background of the Wisdom writers, and take into account the wider horizons revealed by Oriental Wisdom as a whole.

II

Basically, Hebrew Wisdom consists of two categories: the *practical* or lower *Wisdom*, conventional in attitude and dedicated to the cultivation of the virtues making for success and personal happiness, and the *metaphysical* or *higher Wisdom*, concerned with problems like the purpose of life, the meaning of death and the problem of evil. Not only the writers of Proverbs and Ben Sira, but also the authors of Job and Ecclesiastes, were teachers of Wisdom, and as such, accustomed to use the *māšāl* form in their ordinary pedagogic activity, as well as when they grappled with larger metaphysical issues.¹⁷ Both these types of literature have their counterparts in Babylonian and Egyptian Wisdom. The *proverb-collections* parallel the Hebrew *Proverbs* and *Ben Sira*, while the *meditations and complaints* are the counterparts of *Job*, *Ecclesiastes* and *Agur ben Jakeh* (Prov. ch. 30).

There is, however, no wall of separation between the lower

¹⁷ On the relationship of the two schools, see *HUCA*, *loc. cit.*, pp. 78–81; *Wisdom of Ecclesiastes* pp. 11–14. On the evidence that Koheleth was a Wisdom teacher see the Epilogue (Ecc. 12.9 ff.) and our forthcoming Commentary.

and the higher Wisdom. Thus Erman points out that the Egyptian writings bearing the name *sbōyet* "instruction" include two literary genres a) "discourses on worldly prudence and wisdom intended merely for schools" and b) "writings far exceeding the bounds of school philosophy."¹⁸ In Babylonian Wisdom, fewer examples of which have survived, the same two types are also to be met with.¹⁹

Similarly, there is no line of demarcation between the lower and the higher *Hokmah* in Israel. Since the unconventional Wisdom was an outgrowth of the practical school and was cultivated by Wisdom teachers, proverbial passages are to be regarded as authentic unless and until it is demonstrated that they cannot belong to the book. For the relationship of these unconventional Wise Men to the culture of their day was essentially complex. Within their world-view were elements of the completely conventional, the modified old, and the radically new. They doubtless accepted many aspects of the practical Wisdom as expounded in the schools, where they were educated and in which they probably themselves taught. As teachers of Wisdom they quoted conventional proverbs or composed original sayings of their own, which were not different in form or spirit from that of their more down-to-earth colleagues. Other ideas they accepted in modified form, while still others they opposed entirely.

Hence, quotations would be particularly congenial to the *hākām*, who unlike the prophet, lays no claim to direct supernatural revelation, but depends on careful and patient observation and logical deductions. Each generation of Sages would find in the extant proverbial literature of the past a body of lore created by their predecessors or their contemporaries, whose observations on life appealed to them as vital and true. Moreover, Babylonian and Egyptian Wisdom offers illustrations of quo-

¹⁸ Cf. A. Erman, *Literature of the Ancient Egyptians* (tr. Blackman) London, 1927, p. 54; J. Fichtner, *Die Altorientalische Weisheit in Ihrer israelitisch-juedischen Auspraegung* (Giessen 1933) p. 3.

¹⁹ Cf. Fichtner, *op. cit.*, p. 6 "Wir treffen auch hier zwei Gattungen: *Lehrschriften und Klageschriften*. Anders als in Aegypten haben wir im Zweistromland auch Sammlungen von Volksspruchwörtern."

tations generally proverbial in form, cited for different purposes by the writers. These will be adduced below.

Because of these considerations, both positive and negative in character, the writer was led several years ago²⁰ to recognize the existence of quotations in Biblical Wisdom literature, which were utilized by the authors in various ways to express and expand the ideas they were seeking to promulgate. These quotations are naturally not indicated by a system of punctuation, which did not exist in ancient times, and often they may lack an introductory verb of speaking or thinking. That the passage is indeed a quotation must be understood by the reader, who is called upon in Semitic literature to supply not only punctuation but vocalization as well. The tendency to omit the verb of speaking or thinking is particularly common in a double quotation, where the verb may be used in one passage and omitted in the next, or vice versa.

It is noteworthy that this technique of quotations is not limited to the Wisdom books. On the contrary, they are to be met with in the Bible, in non-Hebrew Oriental sources, and in Rabbinic literature. This abundance of material not only demonstrates the validity of the usage postulated for the Bible, but sheds welcome light on the variety of techniques employed.

Before setting forth the evidence, several points should be made clear. The term "quotations" refers to *words which do not reflect the present sentiments of the author of the literary composition in which they are found, but have been introduced by the author to convey the standpoint of another person or situation*. These quotations include, but are not limited to, citations of previously existing literature, whether written or oral. In other words, the term, as employed in this paper, refers to passages that cite the speech or thought of a subject, actual or hypothetical, past or present, which is distinct from the context in which it is embedded. It will also become evident that the various types of quotations do not represent distinct categories, but constitute closely related developments of the same basic technique.

²⁰ Cf. "Quotations in Wisdom Literature" in *JQR*, vol. 30, 1939, pp. 123-147.

III

A. *Direct quotations of speech by the subject.* Hence a *verbum dicendi* must be understood or supplied.

1. *The words of enemies*

Ps. 2.2 f.

יִחַצְבוּ מַלְכֵי-אָרֶץ וְרוֹנִים נוֹסְדֵּרִיחַד
עַל-ה' וְעַל-מִשְׁחִיו
נִנְחָקָה אֶת־מוֹסְרוֹתָיו וְנִשְׁלִיכָה מִמֶּנּוּ עֲבָתָיו

The kings of the earth stand up,
And the rulers take counsel together,
Against the Lord, and against His anointed
saying:

"Let us break their bands asunder
And cast their cords from us."

Ps. 22.8 f.

כָּל-רֹאֵי יִלְעֲנוּ לִי יִפְטִירוּ בִשְׁפָה יִנְיְעוּ רֹאשׁ
וְלֹא אֱלֹהִים יִפְלֹטֵהוּ יִצִּילֵהוּ כִּי חָפֵץ בּוֹ

All they that see me laugh me to scorn;
They shoot out the lip, they shake the head,
Saying:

"Commit thyself unto the Lord!"

"Let Him rescue and deliver him,
For He delighteth in him."²¹

This is a very interesting example of two quotations spoken by the Psalmist's foes; the first, addressed directly to him hypocritically, urges him to have faith in God; the second,

²¹ So Delitzsch, who recognizes two quotations here and takes לֹא as the imperative (so Briggs, Dr.) Cf. Ps. 37.5; Pr. 16.3, cf. Ps. 55.23. In view of the clear parallels, this view is preferable to regarding לֹא as the perfect = לֹא (LXX, cf. Mat. 27.43, Ew. Bi, Duhm), Bittenwieser) or the infinitive absolute (Rashi, Hitzig, Boettcher) or the participle (Kimhi, Ibn Ezra), all taken to mean lit. "He who casts his all (i. e. trusts,) in the Lord. He will save him, etc." In spite of variations in interpretation, all commentators recognize ■ quotation here.

like the Elizabethan "aside," sarcastically expresses their real wish to see his downfall.

That this is the intent of the passage seems clear from the verse now to be adduced.

Ps. 55.22 f.

וקרב לבו	חלקו מחמאות פיו
והמה פתחות	רכו דבריו משמן
והוא יכלכלך	השלך עליה' יחבך
מוט לצדיק	לא יתן לעולם

Smoother than cream²² were the speeches of his mouth,
But his heart was war;
His words were softer than oil,
Yet were they keen-edged swords,
As he said,

"Cast thy lot upon the Lord and He will maintain thee;
He will never permit the righteous to stumble."

Another insincere counsel addressed to the Psalmist by his false friends, which therefore evokes his imprecation in the next verse (55.24):

A. Ps. 109.5-20

ושנאה תחת אהבתי	וישימו עלי רעה תחת טובה	.5
ושטן יעמר עלימינו	הפקד עליו רשע	.6
ותפלתו תהיה לחטאה	בהשפטו יצא רשע	.7
ולמוחז תמיד יחגרה	תהי לו כבגד יעטה	.19
והדברים רע על נפשי	זאת פעלת שטני מאת ה'	.20

They requited me evil for good
And hatred for my love,
Saying: "Set Thou a wicked man over him;
And let an adversary stand at his right hand.

²² Reading, with all the moderns, מַחְמָאוֹת, the comparative being attested by the parallelism מְשַׁקֵּן.

^{22a} On the basis of the parallelism and the meaning of the root פָּלַל "judge" (cf. I Sam. 2.25; פָּלִיל "judge" Deut. 32.31; Job 31.11; פִּלְיָה "office of judge" and פָּלִיל Job 31.28; Isa. 28.17) this stich may perhaps be rendered: "And may his trial serve for his guilt (or, condemnation)."

When he is judged, let him go forth condemned;
 And let his prayer be turned into sin.^{22a}
 Let it be unto him as the garment which he putteth on,
 Like the girdle with which he is girded continually."
 That is the work of those who hate the Lord²³
 Who speak evil against my soul.

This entire passage cannot be the sentiment of the Psalmist who speaks of his foes in the plural throughout (vv. 2-5, cf. v. 20).²⁴ It is a quotation of the imprecation pronounced upon the Psalmist by his foes.²⁵ This avoids the necessity of assuming that the singular refers to one of the Psalmist's foes suddenly

²³ In a recent study of this passage H. L. Creager, (*JNES*, 1947, pp. 121-3) suggests that v. 20 be emended on the basis of *Pešita* (סנה גנבך) *גנבך במחמך לנצח* "The work of those who hate the Lord)" to read 'זאת פעלך שקני ה' and rendered: "This is the reward of the enemies of God." However, this requires assuming the late insertion in MT of מאח which LXX validates, *παρα κυρίου*, cf. Vulgate *apud Dominum*, Targum "מן. The varied readings of *Pešita* and MT are both derived from an original ה זאת פעל שטנים אח "This is the work of those who hate the Lord," which MT divided שטני מאח ה.

²⁴ In this entire passage only vv. 15-18 offer some difficulty, since v. 15 is couched in religious terms and vv. 16-18 charge the object of the curses with being heartless and cruel to the poor, and therefore do not seem appropriate in the mouth of the Psalmist's enemies. V. 15a is however merely the biblical mode of praying for an evil fate for one's foe: the verse refers to the extinction of his memory (reading *zikro* with mss. LXX and Jerome) or that of his ancestors. V. 16 is suspicious on metrical grounds, disrupting as it does the tristich rhythm of the passage. It may, however, well be authentic, containing the charges that his enemies have sanctimoniously uttered against him. Note that in v. 20 b, the Psalmist describes his enemies as slandering him (הדברים רע על נפשי). On the other hand, vv. 16-19 may be out of place here, belonging after v. 29, in which case they would constitute the Psalmist's words. The singular verbs and suffixes in these verses would then require modification to the plural. The changes would have arisen from a scribe who "corrected" the forms to the singular, to agree with the context in v. 6 ff., when the passage was erroneously transferred to the present position. See also the following note.

²⁵ Cf. JPSV, which places the entire passage, vv. 6-19 in quotation marks, and the commentaries of A. Cohen, Freehof and Creager, *loc. cit.*, who cogently defend this interpretation.

singled out without reason²⁶ or that the passage is a fragment of a "curse which should be deleted from the Psalter."²⁷

2. *The words of the righteous*

Ps. 52.8, 9

ועליו ישחקו	ויראו צדיקים וייראו
אלהים מעוז	הנה הגבר לא ישים
יעז בהותו	ויבטח ברב עשרו

The righteous also shall see and fear,
And shall laugh at him,

Saying:

"Lo, that is the man that made not God his stronghold
But trusted in the abundance of his richness,
And strengthened himself in his wickedness."

3. *The words of God*

Ps. 75.10 f.

אזמרה לאלהי יעקב	ואני אניד לעלם
תרוממה קרנות צדיק	וכל קרני רשעים אנדע

But as for me, I will declare for ever,
I will sing praises to the God of Jacob,
Who declares,

"All the horns of the wicked will I cut off;
But the horns of the righteous shall be lifted up."

Ps. 95.7 ff.

כיהוא אלהינו ואנחנו עם מרעיתו וצאן ידו
היום עם־בקולו תשמעו
אליחקשו לבבכם כמריבה כיום מסה במדבר

For He is our God,

And we are the people of His pasture and the flock of
His hand.

■ So Kimhi, (who refers it to Doeg the Edomite), Delitzsch.

²⁷ M. Bittenwieser *The Psalms* (Chicago 1938) p. 747. Briggs regards it as a separate poem of imprecation against a wicked ruler, with harmonizing glosses (vv. 2a, 3b-5a, 19-20, 25, 28-29) and a liturgical ending (v. 30-31). Aside from the complications involved, there is no reference in the text to the object of these curses being a ruler.

Today, if ye would but hearken to His voice,
As he says,
 "Harden not your heart, as at Meribah,
 As in the days of Massah in the wilderness;
 When your fathers tried Me,
 They tested me; though they had seen My work."

Ps. 22.27

יאכלו ענוים וישבעו יהללו ה' דרשיו יחי לבבכם לעד

Ps. 69.33

ראו ענוים ישמחו דרשי אלהים ויחי לבבכם

In both passages, the same phrase occurs in second person: יחי לבבכם. It is easy to emend it to יחי לבכם²⁸, but its identical occurrence in two similar contexts make one wary of this facile solution. It bears all the earmarks of an idiomatic formula of blessing or congratulation, or perhaps of a banquet-toast, like "skoal" or "to your health" or the Hebrew "lehayyim" for "life." Hence, render these verses as follows:

"The humble will eat and be sated,
 May those who seek Him praise the Lord,
As they proclaim, "May your hearts live eternally."²⁹

The humble have seen it
 Those who seek God rejoice³⁰
And proclaim, "May your hearts live."

²⁸ So LXX, Kittel, *BH* on 22.27; Ehr. on 22.27. In 69.33 they change the verbs to imperatives ראו and שִׂמְחו to harmonize with the second person.

²⁹ So Delitzsch (1st passage); Briggs (both passages), Ehr.

³⁰ The pausal form שִׂמְחו is to be vocalized שִׂמְחוּ and construed with דִּרְשֵׁי אֱלֹהִים as its subject, thus producing a far smoother construction, besides giving the verse three stichs of two beats each. דִּרְשֵׁי אֱלֹהִים corresponding to ענוים receives only one beat, cf. קְדוֹשׁ יִשְׂרָאֵל parallel to ה' in Isa. 1.4; מֶלֶךְ מוֹאֵב parallel to בֶּלֶק in Num. 23.7; חֲטָאֵת נֶפֶשׁ parallel to בָּכוֹרִי in Micah 7.7. This 2:2:2 rhythm occurs in the preceding verse as well: וְחִיטָּב לֵה' מִשּׁוֹר פֶּר מִקֶּרֶן מִפְּרִים "It will be more acceptable to the Lord than an ox, than the horn of a cloven-footed beast" (Read מִקֶּרֶן מִפְּרִים).

4. *The words of the people*

In the famous crux Hos. 4.4: *אך איש אל ירב ואל יוכח איש ועמך*: *כמריבי כהן*, the last stich is to be read: *וְעַמְּךָ כְּמַרְיָבִי כֹהֵן*, the Kaph being asseverative³¹ and *כהן* in the vocative. This is attested to by the next verse, which employs the second person and refers to the prophet: *וכשלח היום וכשל גם נביא עמך לילה*.

Stichs a and b in v. 4 are best taken as a quotation of the people's stubborn refusal to accept instruction. The entire passage is to be rendered:

*Yet the people say,
 "Let no man argue, and no man offer reproof!"³²
 Thy people are surely My adversaries, O priest!
 Thou shalt stumble by day,³³
 And the prophet shall stumble with thee by night.*

The last two stichs refer to the ritual functioning of the priests by day and to the nocturnal visions of the prophet.

In Isa. 28.9-12, a similar portrayal of the people's contumacy is met with, their position and sentiments again being embodied in a quotation:

*For you say to me:
 "Whom will he teach knowledge,
 And whom will he make to understand the message
 Infants freshly weaned from the milk,
 Just removed from their mothers' breasts?
 For it is precept upon precept, precept upon precept;
 Line upon line, line upon line,
 Here a little, there a little."*

*Indeed with foreign speech and a strange tongue
 Will it be spoken to this people;*

³¹ Cf. the writer's study, "The Asseverative Kaph in Hebrew and Ugaritic" in *JAOS* 1943, vol. 63, pp. 176 ff.

³² Cf. Rashi and Kimhi *ad. loc.*

³³ Read, by a different division of the words, *וְכָשֶׁלְמָה יוֹם* to correspond to *לִיְלָה*, "by day" and "by night."

To whom God had said:

"This is the secret of rest — give rest to the weary;

And this means refreshment, —"

But they would not hear.

IV

B. The use of quotations naturally leads to the *development of dialogue* with the particular speaker not specifically indicated, but left to be inferred by the reader.

Protagonists of the dramatic theory of the Song of Songs naturally postulate such procedure, but for substantial reasons, this theory has been steadily losing ground to the view that the book is an anthology of love and wedding songs.³⁴ Nonetheless, dialogue between the lovers or the singers and the chorus is widespread in the book.³⁵

Moreover, the use of dialogue is common in the Prophets, who found it an effective technique for dramatizing their message.

Hosea offers several instances of a deeply moving dialogue between Israel and God.

Hos. 5.15-6.4

עד אשר יאשמו ובקשו פני

אלך ואשובה אל־מקומי

בצר להם ישחרנני

לכו ונשובה אליה'

יך ויחבשנו

כי הוא טרף וירפאנו

ביום השלישי יקמנו

יחינו מימים

ונחיה לפניו ונרעהו

כשחרנו כן נמצאהו

נרדפה לדעת את ה'

כמלקוש יורה ארץ

ויבוא כגשם לנו

מה אעשה־לך יהודה

מה אעשה־לך אפרים

וכטל משכים הלך

וחסרכם כענני־בקר

³⁴ Cf. H. H. Rowley "The Interpretation of the Song of Songs" in *JThS*, vol. 58, 1937, pp. 357 ff.

³⁵ Cf. e.g. M. Jastrow, *The Songs of Songs* (Phila. 1921) who notes the singers in each lyric.

God says:

"I will go and return to My place,
Till they acknowledge their guilt and seek My face;
In their trouble they will seek Me earnestly:

Saying

'Come, and let us return unto the Lord;
For He hath torn, and He will heal us,
He hath smitten, and He will bind us up.
After two days will He revive us,
On the third day He will raise us up,
That that we may live in His presence and know Him.³⁶
We will eagerly strive to know the Lord
And as we seek Him, we shall surely find Him.³⁷
And He shall come to us as the rain,
As the latter rain that waters the earth.' "

But God answers,

"O Ephraim, what can I do with thee
What can do I with thee, O Judah,
Your goodness is like the morning cloud
And like the passing dew of the morn."³⁸

An elaborate example of dialogue occurs in Hos. chap. 14. Here the Prophet calls upon the people to repent (2, 3a) and to proclaim their return to Him (beginning with *אמרו אליו*, 3b, 4). God responds in vv. 5-8. Then comes v. 9: *אפרים מה'לי* עוד לעצבים אני עניתי ואשורנו אני כברוש רענן ממני פריך נמצא.

Ephraim *shall say* "What have I to do any more with idols?"
"Then I shall respond and look after him." —

³⁶ Read with most moderns *וְנִדְעָהּ* for *וְנִדְעָה* and attach to v. 2, thus giving both vv. 2 and 3a a tristich rhythm and avoiding the difficult repetition of *yāda* in 3a of the MT.

³⁷ Read *קִשְׁחָרְנוּ כֵּן נִמְצָאָהּ* with Giesebrecht, based on LXX.

³⁸ *קִשְׁחָר* parallel to *בֶּקֶר* is a noun meaning "morning, lit. the rising time." It occurs in Mishnic Hebrew, cf. M. Bikkurim 3.2 *למשכים היה* "At rising time, the official would say," and the *Book of the Damascene Sect*, 10.19 (ed. Schechter). Hence revocalize *קִשְׁחָר*.

*And God will answer, "From Me is thy fruit found."
 Ephraim shall say, "I am like a leafy cypress-tree,"³⁹
 And God will answer, "From Me is thy fruit found."*

The use of אפרים in v. 9 is particularly interesting. As all the commentators have understood, it represents the *dramatis persona* and is therefore rendered: "Ephraim shall say." It has not been noted that, though rare, the usage is not without analogies. In Jer. 50.7 f., the Masoretic text reads:

וצריהם אמרו לא־נאשם	כל מצאיהם אכלום
נוה צדק ומקדח אבותיהם ה'	תחת אשר חטאו לה'
ומארץ כשדים יצאו (כתיב) וגו'	נדרו מתוך בבל

The final word יהוה in v. 7 is lacking in the LXX and is moreover superfluous in meaning and disturbing to the rhythm. Hence it is deleted by most exegetes. Actually the word is to be added to v. 8, where it introduces God's speech after the words of the enemy in v. 7:

All that found them have devoured them;
 And their adversaries said: "We are not guilty,
 Because they have sinned against the Lord,
 The habitation of justice, and the hope of their fathers."

The Lord calls out:

"Flee out of the midst of Babylon,
 And go forth out of the land of the Chaldeans,
 And be as the he-goats before the flocks."

Another example of the absence of the *verbum dicendi* occurs in Eccl. 8.2: אני פי מלך שמר ועל דברת שבעת אלהים.

"I say, "keep the word of the king."

Attention has been called elsewhere⁴⁰ to a similar usage in the

³⁹ On the difficulties of this stich and the various proposals made, see Harper, *ICC on Hosea*, *ad loc.*

⁴⁰ Cf. Louis Ginzberg *Jubilee Volume*, English volume (New York 1945), p. 198.

Talmud (B. Kid. 44a): **אנא לא רב אבין בר חייא ולא רב אבין בר כהנא אלא רב אבין**.

I report this tradition, not in the name of R. Abin ben Hiyya or R. Abin bar Kahana, but simply in the name of R. Abin (without a patronymic).

In the difficult 12th chapter of Hosea, v. 5 would seem to be a quotation of the words of God. The passage is as follows:

So he strove with an angel, and prevailed;
He wept, and made supplication unto him;
Saying, "At Beth-El he would find him, and there
he would speak with him."

Similarly v. 7 appears to be a Divine call, where a verb of speaking must be supplied.

The development of dialogue is most extensive in Hosea's spiritual descendant, Jeremiah. Only a few illustrations will be cited here:

Jer. 2.25

וּנְוֹרֵךְ (כְּתִיב) מִצְמָא

מִנְעֵי רִגְלְךָ מִיַּחַף

וְתֹאמְרִי נֹאשׁ

וְאַחֲרֵיהֶם אֶלֶךְ

לֹא כִי־אֶהְבֵּתִי זָרִים

I said, "Withhold thy foot from being unshod,
And thy throat from thirst;"

But thou saidst: "There is no hope;

No, for I have loved strangers, and after them will I go."

Here the verb of speaking is lacking before stich a, but occurs in stich c (וְתֹאמְרִי).

Jer. 3.22 f.

שׁוּבוּ בָנִים שׁוֹבְבִים אֶרְפָּה מְשׁוּבוֹתֵיכֶם

הֲנֵנוּ אֲתָנוּ לֶךְ כִּי אֲתָה ה' אֱלֹהֵינוּ

God calls, "Return, ye backsliding children, I will heal your backslidings."

Say ye to Him, "Here we are, we are come unto Thee; For Thou art the Lord our God."

In Jer. 6.4 f. we have a series of speeches spoken within the enemy camp. In 4a the foes urge one another to begin the attack; in 4b they lament that they have let the noon pass (when a siesta is taken and a surprise attack is readily made); in v. 5 they decide on an assault by night.⁴¹

קומו ונעלה בצהרים	קדשו עליה מלחמה
כיינשו צללי-ערב	אוי לנו כי-פנה היום
ונשחיתה ארמנותיה	קומו ונעלה בלילה

"Prepare war against her, arise and let us go up at noon."

"Woe unto us, for the day has declined and the shadows of evening stretch themselves out."

"Arise, let us go up even at night and destroy her palaces."

Jer. 12.1-6 contains the heartrending query of the prophet: "Why does the way of the wicked prosper" (vv. 1-4) and the enigmatic reply of God with its promise of new trials for Jeremiah (vv. 5-6).

An elaborate dramatic form is met with in Jer. chap. 14. Vv. 2-6 describe the ravages of the drought; vv. 7-9 contain the people's prayers for relief, both these speeches not being identified either by a subject or a verb of speaking. Then follows (vv. 10-12) God's rejection of the plea ('כה אמר ה' (ויאמר ה'). The prophet then voices his complaint against the false prophets who promise prosperity (v. 13 ואמר) which is succeeded by the Lord's emphatic repudiation of their activity (vv. 15-18 לכן כה אמר ה').

The passage Jer. 6.9 begins with God announcing the doom ('כה אמר ה' צבאות). The prophet then voices his helplessness before the stubbornness of the people (vv. 10, 11), whereupon God proclaims the doom of exile, (v. 12, cf. אטה ה', נאם ה'). While God's words are explicitly attributed to Him, the reader must understand vv. 10 and 11 as the speech of the prophet.

An example of quotations within quotations occurs in Jer.

⁴¹ Cf. S. R. Driver *The Book of the Prophet Jeremiah* 2nd ed. (London, 1908) pp. 33 f. On the military tactics involved, cf. Jer. 15.8; 20.16; Zeph. 2.4; and Isa. 15.1.

6.16 f., with the speaker to be understood at the beginning of v. 17:

Thus saith the Lord: "Stand ye in the ways and see,
And ask for the old paths, 'Where is the good way,'
And walk therein, and ye shall find rest for your souls."

But they said: "We will not walk therein."
And God said: "I have set watchmen over you who say,
'Hearken to the sound of the horn',"
But they said: "We will not hearken."

In Ps. 4.7 f. we have a striking contrast between the hedonism of the masses and the spiritual striving of the Psalmist for God's presence:

רבים אמרים מִיִּירָאוּנוּ טוֹב
נִסְה־עֲלֵינוּ אוֹר פֶּנִּיךָ ה'
נַחַת שְׂמֵחָה בְּלִבִּי
מַעַת דָּגָנָם וְחִירוֹשָׁם רַבּוּ

Many say, "Would that we could enjoy pleasure!"
But I say, "Lift upon us the light of thy countenance;
O Lord,⁴² Thou hast placed a joy in my heart,
Greater than that of the time that their corn and wine
increased."

It is noteworthy that in these dialogues, a verb of speaking occurs at one point (Jer. 2.25b; 3.5; 6.9, 12.6-16 f., Ps. 4.5 etc.) and thus serves as a clue to the remainder of the passage where it must be understood.

This absence of any external indication of the speakers in a dialogue, which must be understood by the reader, is not limited to Hebrew literature. A striking instance occurs in the Sumerian poem "Gilgameš, Enkidu and the Nether World," which is virtually a verbatim translation of the so-called "twelfth" tablet of the Babylonian "Gilgameš Epic." Here, the recognition of this use of quotations with no external

⁴² The rhythm indicates that is 'ה' to attached to v. 8, thus creating ■ 4:4 meter in both vv. 7 and 8.

sign, is crucial to the understanding of the entire poem, as Kramer has pointed out.⁴³ At a given point in the poem, the *pukku* and *mikku* of Gilgameš, probably a drum and a drumstick, have fallen into the nether world. Gilgameš laments their loss.⁴⁴ Thereupon, his faithful companion Enkidu volunteers to go down to the nether world and restore them to him.⁴⁵ Then follows a passage containing a warning concerning a number of tabus which must be guarded against in the nether world.⁴⁶ In accordance with the universal motif of world literature, Enkidu disobeys this advice, with disastrous consequences.

In the Ur tablet U 9364 there is no indication as to the identity of the speaker of this message of warning, but *on the basis of the sense demanded by the context*, Kramer suggested the insertion of a line "Gilgameš says to Enkidu." The correctness of this suggestion has been strikingly verified by duplicate tablets which actually include this line!⁴⁷

In interpreting the Babylonian "twelfth tablet," all the modern translators assumed that this admonition about the nether-world tabus were addressed by some unknown person or deity to Gilgameš, and that it was Gilgameš who violated the tabus. The Sumerian parallel makes it clear that the warnings were spoken *by* Gilgameš and that the violator was Enkidu. Both the Sumerian and the Babylonian reader, like his Hebrew counterpart, was expected to understand the identity of the speaker in the poem before him, even when there was no external indication.

Another instance of an unexpressed quotation in dialogue

⁴³ Cf. the fundamental study of S. N. Kramer, "The Epic of Gilgameš and its Sumerian Sources" in *JAOS*, 1944, vol. 64, pp. 7-23, especially pp. 20-23 and notes 104 and 113. I am grateful to Prof. Kramer for citing this corroborative evidence from Sumerian, when the present paper was read (in part) at the December 1948 meeting of the Society of Biblical Literature in New York.

⁴⁴ Lines 42-49 of the Ur Tablet 9364 published by Gadd.

⁴⁵ Lines 50-52.

⁴⁶ Lines 54-73, end of the same tablet.

⁴⁷ Cf. CBS 10400, 15150 and UM 29-13-438. See Kramer *op. cit.*, n. 104 cited above.

occurs in the Sumerian epic, "Gilgameš and the Land of the Living."⁴⁸ The hero Gilgameš, realizing that like all men, he must die, is determined to raise up an immortal name by going to "the Land of the Living," known also as a land of cedars, and (probably) bringing back cedars to Erech (ll.1-2). He tells his loyal retainer Enkidu of his plan (ll.3-8), who urges him to inform Utu, the sun-god, of his intention, since he has charge of the cedar-land (ll.9-12). Gilgameš acts upon this advice (ll.-13-18). At first, Utu is skeptical, (ll.19-20), but Gilgameš renews his plea (ll.21-34) and Utu has pity upon his tears and decides to help him.

The passage, with which we are concerned, is contained in ll.16-21:

He says to Utu of heaven:

"O Utu, I would enter the land, be thou my ally.

I would enter the cedar land, be thou my ally."

Utu of heaven answers him,

". . . . verily thou art, but what art thou to the land?"

Gilgameš answers him,

"O Utu, a word would I speak to thee, to my word
thy ear."⁴⁹

The line in italics, does not exist in the text; it has been supplied by the editor, who correctly remarks that "the restoration, which is crucial to the context, is quite certain."⁵⁰

What is particularly noteworthy in this dialogue, is that exactly as in the Biblical instances cited above, the speaker is explicitly indicated in several instances and left to be understood in another.

Thus, l.3: "He (i. e. Gilgameš) says to Enkidu"

l.8: "His servant Enkidu answers him."

l.16: "He says to Utu of heaven."

l.19: "Utu of heaven answers him."

⁴⁸ Published by S. N. Kramer in *Journal of Cuneiform Studies*, 1947, vol. 1, pp. 3-46.

⁴⁹ *Op. cit.*, pp. 8-9.

⁴⁹ *Op. cit.*, pp. 8-9.

⁵⁰ *Op. cit.*, p. 32.

Only after Utu's speech, must the additional line be supplied to indicate that Gilgameš is now pleading once more:

"Gilgameš answers him (i. e. Utu)."

V

C — *Direct quotations of the thoughts of the subject.* Hence a verb of *thinking* must be understood.

I — Expressing the *present thought or motive* of the subject, hence supply a verb of thinking.

Gen. 26.7 **כי ירא לאמר אשתי פני־הרגני אנשי המקום על־דבקה כי־טובת כי־טובת היא מראה היא**

He feared to say: "She is my wife;" *thinking* "lest the men of the place should kill me for Rebekah, because she is fair to look upon."

Ps. 8.4 ff.

**כי־אראה שמִיךְ מעשה אצבעתיך
ירח וכוכבים אשר כוננתה
מהאנוש כי־תזכרנו
ובן־אדם כי תפקדנו**

"When I behold Thy heavens, the work of Thy fingers,
The Moon and the stars, which Thou hast established;
I say: "What is man, that Thou art mindful of him?
And the son of man, that Thou thinkest of him?"

Ps. 10.4

**רשע כנבה אפו בלי־דרוש
אין אלהים כל מזמותיו**

The wicked, in his arrogance *says*:
"God will not requite,"
All his thoughts are: "There is no God."

That the words **כל ידרוש** are a quotation of the sinner's thought is certain not only from the parallelism, but from the direct citation of the verse below in v. 13:

עלימה נאץ רשע אלהים אמר בלבו לא תדרש

Why does the sinner despise God,
And say in his heart "Thou dost not requite."

This citation in v. 13 also proves that the two closing words of v. 3 belong to v. 4, which is a tristich in 3.3 rhythm:

נאץ ה' רשע || כנבה אפו בלי־דרש || אין אלהים כל־מומוחיו

The sinner despises the Lord,
In his arrogance, he declares, "He does not requite,"
"There is no God" — these are all his thoughts.

Ps. 59.8

הנה יביעון בפיהם חרבות בשפתותיהם כימי שמע

Behold, they pour forth with their mouths; Swords are
in their lips, for *they think* "Who doth hear?"

Job 7.4

אם־שכבתי ואמרתי מתי אקום
ומדד־ערב ושבעתי נדדים עדי־נשף

Here the parallelism indicates that the closing clause is a quotation. The verse is to be rendered:

When I lie down, I say:
"When shall I arise?"
And when the night is long, *I say*,
"I have had my fill of tossing until daybreak."

Job. 15.21

קול־פחדים באזניו בשלום שודר יבואנו

That the clause בשלום שודר יבואנו describes the psychological terror of the sinner during his ostensible prosperity and is not a picture of his actual doom, is clear from the preceding and following verses, 20, 22 and 23. The entire passage is to be read as follows:

All the days of the wicked, he is atremble,
During the number of years stored up for the oppressor.
The sound of terrors is in his ears,
Even when he is at peace *he fears* that the despoiler will
overtake him.

He does not hope to escape from the darkness,
 But he looks forward to the sword.
 He wanders about for bread, *asking*, "Where is it?"
 He knows that the day of darkness is ready for him.⁵¹

Job. 22.12-14

וראה ראש כוכבים כירמו
 הבעד ערפל ישפוט
 וחוג שמים יתהלך

הלא־אלוה נבה שמים
 ואמרת מה ידע אל
 עבים סת־רילו ולא יראה

In view of the attested usage of verbs of speaking used only in part, (note *ואמרת* in v. 13) there is no need to rearrange the verse order, or delete v. 12 as a gloss.⁵² V. 12 is a statement of Job's alleged thoughts:⁵³

You thought: "Is not God in the height of heaven?
 And behold the topmost of the stars, for they are high!"
 And you said: "What doth God know? Can He judge
 through the dark cloud? Thick clouds are a covering to Him,
 that He seeth not; And He walketh in the circuit of heaven."

2. — This usage occurs in *formulas of the naming of children*:

Gen. 41.51 f.

ויקרא יוסף את־שם הבכור מנשה כי־נשני אלהים אח־כל־עמלי ואת כל־בית
 אביו: ואת שם השני קרא אפרים כי הפרני אלהים בארץ עניי

⁵¹ On קִיר as a phonetic equivalent of קֶצֶר, cf. I. Sam. 21.14; Ez. 37.19; Isa. 64.6; Job 8.4; 27.11 and *Tel-el Amarna Letters* no. 245 line 35 (*ba-di-u = ba-ya-di-hu*), as well as the Ugaritic texts where *be-yad* is spelled *bd*. Cf. H. Torczyner in *Samuel Krauss Jubilee Volume* (Jerusalem 5697) pp. 1 ff.; Gordis "A Note on Yad" in *JBL*, 1943, vol. 62, p. 341 ff. and the literature there cited.

⁵² Duhm and Hoelscher delete the verse; Driver-Gray, vol. 1, p. 195 are unable to reach a satisfactory conclusion.

⁵³ Ehrlich and Dhorme recognize that v. 12 is essential to the text as the basis of Job's alleged standpoint in v. 13, thus approximating the point of view expressed above, but they do not concern themselves with the technical form of v. 12. The latter cites as a parallel Isa. 40.26-27, which would be a striking illustration of the same connection of ideas, if it were certain that those verses belong together and not to two different passages, as indicated by the Masoretic division. Here, as is so often the case, the medieval Jewish commentators, unaccountably neglected by modern students, intuitively

Joseph called the name of the first-born Manssaeḥ: *for he said*, "God hath made me forget all my toil, and all my father's house"⁵⁴ And the name of the second he called Ephraim, *saying*, "for God hath made me fruitful in the land of my affliction."

Ex. 18.4

ושם האחד אליעזר כי־אלהי אבי בעזרי
ויצלני מחרב פרעה

And the name of the other Eliezer: *for he said*, "the God of my father was my help, and delivered me from the sword of Pharaoh." Note אִמֵּר in the parallel in v. 3.

I Sam. 1.20

והקרא את שמו שמואל כי מה' שאלתי

And it came to pass, when the time was come about, that Hannah conceived, and bore a son; and she called his name Samuel, *saying*, "because I have asked him of the Lord."

3. *Rabbinic literature* shows many examples of this direct kind of quotation, where a simple *verb of speaking or thinking* must be supplied:

Abot 2.4:

אל תאמר דבר שאי אפשר לשמוע שסופו להשמע

Do not say something which cannot be understood, *thinking* "it will ultimately be understood."⁵⁵

grasped the intent of the passage. Rashi interprets v. 12 as a quotation (לאמר); Ibn Ezra has the quotation begin with v. 11 (חשבת) "You thought." On הלא as introducing a quotation, see p. 191.

⁵⁴ The phrase אֵחָד כָּל עֲמָלִי וְאֵחָד כָּל בֵּית אָבִי is best regarded as a hendiadys and therefore to be rendered "all the toil of my father's house, i. e. "all the trouble I sustained in Canaan." Note the parallel phrase in the contrasting formula: כִּי הִפְרֵנִי אֱלֹהִים בְּאֶרֶץ עֲנִי.

⁵⁵ So Bertinoro, Maimonides, *ad loc.* Though this seems to be the original reading, the text of the *Mahzor Vitry* differs from it. Cf. C. Taylor, *Sayings of the Jewish Fathers* (1st edition, Cambridge 1877), p. 44, and R. T. Herford, *Pirke Aboth* (New York 1930) for a summary of the various interpretations advanced.

Shab. 23a, b

בשביל ארבעה דברים אמרה תורה להניח פאה בסוף שדהו . . . שלא יהו עניים יושבין ומשמרין עכשיו מניח בעל הבית פאה

For four reasons, the Torah commands that *Peah* be set aside at the end of the harvest season . . . so that the poor will not be compelled to sit and wait, *thinking* "Perchance the owner is going to set *Peah* aside now."

While a verb of speaking or thinking must be supplied here,⁵⁶ it is explicit in the sections that precede and follow it:

שלא יראה בעל הבית שעה פנויה ויאמר לקרובו עני הרי זה פאה . . . שלא יהו עוברין ושבין אומרים תבוא מארה לאדם שלא הניח פאה בשדהו . . .

So that the owner may not see a free moment and say to his poor relative "This is *Peah* (and take it)" . . . and because of unjustified suspicion, so that passers-by (during the season) should not say "A curse on this man who did not set *Peah* aside."

B. Shab. 30a

אמר רוד לפני הקדוש ברוך הוא . . . אמות בערב שבת אמר לו כי טוב יום בחצריך מאלף טוב לי יום אחד שאחה יושב ועוסק בחורה מאלף עולות שעתידי שלמה בנך להקריב לפני על גב המזבח

This passage is to be rendered:

David said to God: "Let me die on Friday."

God answered: "*Did you not say to me, 'One day in Thy courts is better than a thousand?'*" (Ps. 84.11)⁵⁷ Better one day that you spend on the Torah than a thousand burnt-offerings that your son Solomon is destined to offer up on the altar."

Here is a quotation from Ps. 84.11 cited without a formula,

⁵⁶ The passage occurs with several variations in Tos. Peah 1:6 (ed. Zuckerman, p. 18) and in *Sifra*, *Kedoshim* chap. 1 (ed. Weiss, p. 87c). Here the verb אומרים is inserted after יושבין ומשמרין. That the usage without the verb is comprehensible is clear from the fact that the text in *Shabbat* is left uncorrected by the commentators.

⁵⁷ Cf. Rashi *ad loc.*: כלומר כבר אמרת לפני טוב יום שאחה עומד בחצריך.

and then expanded by an interpretation, a usage that will be discussed below.

B Taanit 23 b —

הוה שכיח (רב מני) קמיה דרבי יצחק בן אלישיב ~~אמר~~ ליה עתירי רבי חמי קא מצערי לי אמר ליענו איענו קא דחקי לי ליעתרו איעתרו לא מקבלי אינשי ביתאי עלאי מה שמה חנה תתיפה חנה נתיפתה חנה קא מגנדרא עלי תחזור לשחרירותה הדרה חנה לשחרירותה.

R. Mani used to attend the lectures of R. Isaac b. Eliashib. Once he complained before the latter than the rich members of his father-in-law's house annoyed him. Said R. Isaac: "May they become poor!" and they became poor. (R. Mani then complained) "They press me for support" (whereupon R. Isaac said): "May they become rich again!" and they became rich. (R. Mani then complained:) "I am not pleased with my wife." (Whereupon R. Isaac asked him): "What is her name?" "Hannah" (was the reply). "May Hannah become beautiful!" and Hannah became beautiful. "Now she lords it over me;" (whereupon R. Isaac said): "May Hannah become ugly again!" and Hannah became ugly again.⁵⁸

VI

D — A related category is afforded by citations of *Prayers*. At times prayers for help in distress which had been previously offered are now quoted by the Psalmist in a mood of joyous thanksgiving.

Ps. 30.9-12

אליך ה' אקרא ואל אדני אתחנן
מהיבצע בדמי ברדתי אל שחת
היורד עפר היגיד אמתך
שמעיה' וחנני ה' היה עזר לי
הפכת מספדי למחול לי פחתת שקי ותאורני שמחה

⁵⁸ Cf. H. Malter, *The Treatise Taanit of the Babylonian Talmud* (Phila. 1928) p. 176, n. 334: "All the words in parentheses to the end of the paragraphs are added for clearness' sake, the Talmud usually omitting the connecting phrases."

Unto Thee, O Lord, did I call, and unto the Lord I made supplication: *saying*: "What profit is there in my blood, when I go down to the pit? Shall the dust praise Thee? Shall it declare Thy truth? Hear, O Lord, and be gracious unto me; Lord, be Thou my helper."

Thou didst turn for me my mourning into dancing;
Thou didst loose my sackcloth, and gird me with gladness.⁵⁹

A prayer for salvation cited by the Psalmist in the name of all the righteous occurs in Ps. 32.6 f:

על־ואת יתפלל כל־חסיד אליך לעת מצוא
רק לשטף מים רבים אליו לא יגיעו
אתה סתר לי מצר חצרני רני פלט חסובבני סלה
אשכילך ואורך בדרך זו תלך איעצה עליך עיני

For this each pious one will pray to thee when Thou art near,

"May the flood of great waters not reach me"⁶⁰

Thou art my shelter and wilt guard me from the foe,
With songs of deliverance Thou wilt surround me." (Selah)

Following this quotation, the words of God are cited, also without an introductory formula, explaining that the troubles of the righteous serve a disciplinary purpose:

And the Lord replies;

"I will instruct and teach thee the way thou shalt go,

"I will give counsel, Mine eye being upon thee."

Ps. 27 in the Masoretic Text contains a hymn of thanksgiving (vv. 1-6) and a prayer for help (vv. 7-13) ending with a colophon of hope (v. 14). The widespread view that regards these two sections as two independent Psalms may well be right,⁶¹ but it

⁵⁹ Cf. the commentaries *ad loc.*, and H. L. Ginsberg in *Louis Ginsberg Jubilee Volumes* (English section) p. 165, n. 14 end.

⁶⁰ Instead of an indirect quotation in 6b continuing as a direct one in v. 7, אֶל־יָם should be changed to אֶל־יָם. Even if MT is not emended, v. 7 represents the words of the Hasid, and vv. 8 f. is God's response.

⁶¹ Cf. Delitzsch, Briggs, Kittel, and most moderns, but not Ehrlich or Bittenwieser, *op. cit.*, pp. 495 ff., who argues forcefully for the literary unity of the Psalm.

leaves unexplained why they were joined together by the editor. Perhaps he regarded vv. 7-14 as a quotation of the Psalmist's earlier plea for help, and this latter section should be prefaced by some such phrase "For I had cried out."⁶² On the other hand, the Psalm may indeed be a literary unit, and vv. 1-6 would represent a prayer of thanksgiving, which the Psalmist, now in distress, promises to offer when salvation comes. For even within the *fides triumphans* of the first section, the mood of *fides supplex* is strongly evident (vv. 2, 3, 5a, 6a).

In Psalm 22, the moving description of the poet's suffering (vv. 13-22) is followed by a joyous hymn of thanksgiving for the anticipated deliverance (vv. 23-32). Vv. 22-24 are as follows:

הושיעני מפי אריה ומקרני רמים עניתי
אספרה שמך לאחי בתוך קהל אהללך
יראי ה' הללוהו כל זרע יעקב כבודוהו וגורו ממנו כל-זרע ישראל

Save me from the lion's mouth;
Yea, from the horns of the wild-oxen do Thou answer me.
I will declare Thy name unto my brethren;
In the midst of the congregation will I praise Thee,
Saying:
"Ye that fear the Lord, praise Him;
All ye the seed of Jacob, glorify Him;
Stand in awe of Him, all ye the seed of Israel, etc."

In instances such as these, the cited portions may be true quotations; that is to say, drawn from extant literature. Or they may have been composed by the poet for the occasion.

VII

E. *Quotations embodying the previous standpoint of thought of the speaker, which he may now have surrendered.* They should therefore be introduced by a formula such as "for I thought" etc.

The great Confession of Innocence in Job chap. 31 illustrates this usage. The speaker describes his standard of integrity and

⁶² On the use of quotations to describe a previous state of mind, see below.

moral behavior toward all human beings, due to his vivid sense of the Presence of God, the embodiment of justice, by which he had been guided during his years of prosperity:

Job 31.1-4; 13-15

ומה אחבונן על־בחולה
ונחלה שדי ממרומים
ונכר לפעלי און
וכל צעדי יספור . . .
ואמתי ברבם עמדי
וכי־יפקד מה אשיבנו
ויכוננו ברחם אחד

ברית כרתי לעיני
ומה חלק אלוה ממעל
הלא־איד לעול
הלא־הוא יראה דרכי
אס־אמאס משפט עבדי
ומה אעשה כ־י־קום אל
הלא־יבטן עשני עשור

The introductory Vav in vv. 2 and 14 is worth noting. It indicates a break into the thought-processes of Job, from the description of his actions to his motivation.⁶³ These quoted passages express the same theme that is stated directly in v. 23:

ומשאתו לא אוכל

כי־פחד אלי איד אל

For a calamity from God was a terror to me
And because of His majesty, I could do nothing (evil.)

The deletions and transpositions proposed by the commentators for the chapter are thus seen to be unnecessary, injuring the spirit of Job's impassioned words.⁶⁴ The passage is to be given:

"I made a covenant with mine eyes;
Nor did I look (lustfully) upon a maid,
For I thought, "What will be the portion of God from above,
And the heritage of the Almighty from on high?"

⁶³ On the use of the Vav in circumstantial clauses, indicating the concomitant conditions, modal, causal or temporal, of the main action, cf. S. R. Driver, *Hebrew Tenses* (Oxford, 1892) sec. 156-160; BDB, *Lexicon*, s. v. Vav, sec. 1, k, p. 253 a, b, and the analogous Arabic *وَالْحَال*, Wright, *Arabic Grammar*, vol. 2, sec. 183.

⁶⁴ The use of **אם** in Job 31 has occasioned much difficulty. Efforts to excise verses or to rearrange the chapter have not met with any general assent. See Driver-Gray, Vol. 1, p. 261 f., who summarize these attempts and

Indeed it is calamity to the unrighteous
 And disaster to the workers of iniquity!
 He surely sees my ways
 And counts all my steps!" . . .
 Did I despise the cause of my man-servant,
 Or of my maid-servant, when they contended with me?
For I thought, "What then shall I do when God riseth up?
 And when He remembereth, what shall I answer Him?
 Indeed in the womb in which He made me He made him,
 And fashioned us in the same womb!"⁶⁵

Another instance of this usage is afforded by Ps. 44.21 f.:

ונפרש כפינו לאל זר	אם ישכחנו שם אלהינו
כי הוא ידע תעלמות לב	הלא אלהים יחקר-זאת
נחשבנו כצאן טבחה	כיעלך הרגנו כל-היום

correctly caution: "It would be a great mistake to reduce all this variety to the monotonous repetition of a single scheme." But the implications of this just observation have not been kept in mind. There is no need for assuming that אם throughout the chapter must mean only "if" (15 or 16 times without and 4 times with the imprecatory clause). The repetition of the same word in the Hebrew gives the passage great power; the variety in meaning avoids monotony. Cf. Gen. 44.16 מה נאמר . . . מה נדבר ומה נצטרך "*What shall we say to my lord? What shall we speak. Or how shall we clear ourselves?*" (AV), and Lam. 2.13: מה אשוח . . . מה אדמה לך "*How shall I fortify you, what shall I liken unto you, O daughter of Jerusalem, What shall I compare unto you, and comfort you, O virgin daughter of Zion?*" On this passage cf. *J Th S*, vol. 24, 1933, pp. 162 f. Similarly in this long chapter 31, two uses of אם occur: 1) = "if"; in a protasis with the apodosis expressed (vv. 7-8, 9-10, 21-22, 38-40). 2) = אם = *num*, the sign of a question expecting a negative reply, and hence without an apodosis (vv. 5, 13, 16, 19, 24, 25, 26, 33). לא is equivalent to הלא *nonne*, the sign of a question expecting an affirmative answer. (vv. 20, 31?) The accumulated force of the repeated particle is largely lost in the English. Dhorme (p. 411) recognizes both uses of אם, rendering it as the interrogative in vv. 5, 13, 16, 24, 25, 26, 33 and as "if" in vv. 7, 9, 19, 31, 38. Similarly Hoelscher renders it as the interrogative in vv. 5, 13, 16, 19, 24, 25, 26, 33 and as "if" in vv. 2, 9, 21, 38.

⁶⁵ Reading with Targum in stich a and LXX in b, and most moderns: הלא בבטן עשתי עשהו ונכוננו ברחם אהר. Hoelscher deletes this great affirmation of human equality — perhaps the tribute virtue is forced to pay to vice — his commentary was published in Tuebingen under the Nazis in 1937!

These verses have usually been rendered:

If we had forgotten the name of our God,
Or spread forth our hands to a strange god;
Would not God search this out?
For He knoweth the secrets of the heart.
Nay, but for Thy sake are we killed all the day,
We are accounted as sheep for the slaughter.

This interpretation, however, does not commend itself. כִּי in v. 23 must then be given a negative meaning, which is unnatural, indeed impossible here.⁶⁶ (Delitzsch, Ehrlich "nein," *JV*, "nay, but;" *Moffatt*, "But no"). Besides, the whole idea of v. 21, which in this view contemplates the possibility of betraying God's cause, is an anticlimax after the passionate affirmation of loyalty of v. 18 and 19 and is a weak prelude to v. 23.

The key to the passage is to be found in the usage just elucidated in Job 31, where a rhetorical question expecting a negative answer is followed by the *motivating thought* in the mind of the speaker. It is noteworthy that both in Job and in the Psalms passage the rhetorical question is introduced by כִּי (Ps. 44.21; Job 31.14, 16, 19, 24, 26, 33) and the quotation of the thought by אֲלֵךְ (Ps. 44.22; Job 31.3, 4, 15 also 22.12 above).

The passage is accordingly to be rendered:

Have we forgotten the name of our God,
Or spread our hands to a foreign god?
For we thought, "Indeed God will search this out
For he knows the secrets of the heart."
Indeed,⁶⁷ for Thy sake have we been killed all the day
We were accounted as sheep for the slaughter.

⁶⁶ כִּי means "nay, but" only after a negative. Cf. Gen. 17.15; 24.3 f.; Ex. 16.8; Dt. 21.12; 1 Sam. 6.3; Isa. 10.7; Ps. 44.8; 118.17 and elsewhere. Cf. Brown-Driver-Briggs Lexicon s.v. כִּי, 3e p. 474a. Briggs *ICC on Psalms*, vol. 1, p. 381, places v. 23 after v. 20 and renders "Yea, for thy sake," adding that כִּי is difficult in context and is probably a dittography (p. 382).

⁶⁷ On the asseverative *ki* (and *k*) already noted by the medieval Jewish commentators, and now attested in Ugaritic, cf. H. L. Ginsberg, "Notes on the Birth of the Beautiful gods" *JRAS*, 1935, p. 56; Gordis, "The Asseverative Kaph in Hebrew and Ugaritic," *JAOS*, vol. 63, 1943, pp. 176 ff.

The recognition of this usage helps in the solution of the perplexing problem of the restoration of the Third Cycle in Job.⁶⁸ It is clear that in chap. 27, vv. 13-23 which describe the doom of the wicked in conventional fashion, cannot belong to Job, and are best assigned to Zophar as the remaining part of his Third Speech. It is equally clear that 27.2-6 are a fragment of Job's address in which he avers his innocence.⁶⁹

The remaining section vv. 7-12 has proved a stumbling block to the exegetes, aside from difficulties in detail. Vv. 7-10 express a conviction that the sinner is excluded from the favor of God, which is surely not Job's standpoint in the Dialogue. Hence, these verses are usually assigned either to Bildad or to Zophar.⁷⁰ But this procedure does not commend itself, on several grounds.⁷¹ In the first instance, v. 8 is linked by כִּי to v. 7, which, for all its exegetical difficulty, can only emanate from Job, as the first person sing. proves (אִיבִי וּמַחְקוּמִי). Second, the use of the second person plural in direct address, in vv. 11-12 (אַתְּכֶם, כֻּלְּכֶם, חֻבְּלוּ) proves that these closing verses also belong to a Job speech, probably marking the conclusion, such attacks being characteristic of several of Job's perorations (6.26-29; 21.34).

⁶⁸ For the various efforts at reconstruction, cf. Driver-Gray, ICC on Job, vol. 1, pp. XXXVIII-XL and the succinct summary of Pfeiffer, *Int. to O.T.* (New York, 1941) p. 671. Our own view of the Third Cycle is as follows: *Bildad*: chap. 25; 26.5-14; *Job*: 26.1-4; 27.2-11; *Zophar*: 27. 13-23; *Job* chap. 29-31. Zophar's speech is definitely fragmentary and Bildad's probably so. Chap. 28 is an independent poem, reflecting the same standpoint as the God speeches, and hence anti-climactic as part of the Dialogue, yet probably emanating from the same author or from his school as a separate literary composition. It may have been an earlier and less ambitious treatment of the theme later elaborated in the book of Job, like the early *Faust Gedichte* of Goethe.

⁶⁹ Both these conclusions are accepted by virtually all critics, as in the reconstructions of Kennicott, Stuhlmann, Reuss, Hoffmann, Bickell, Duhm, Barton, Dhorme, in spite of other divergences. A few critics like Siegfried, Laue and Büttenwieser accept only the second conclusion, and solve the first problem in other ways.

⁷⁰ So Driver-Gray (doubtfully); Hoffmann, Bickell, Duhm, Barton.

⁷¹ Thus Kennicott, Stuhlmann, Reuss, Dhorme, attribute these verses to Job.

The solution lies in recognizing that the entire section 27.7-12 is a unit and belongs to Job; it contains a description of Job's attitude during his previous state of happy innocence,⁷² exactly like 31.2-4, 14 f., 23:

Job 27.5-12

לא־יִחַרְף לִבִּי מִיָּמִי	בַּצְדָּקְתִּי הִחֲזַקְתִּי וְלֹא אֲרַפָּה
וּמִתְקוּמִי כְּעוֹל	יְהִי כְרֶשַׁע אֵיבִי
כִּי יִשָּׁל אֱלֹהֵי נַפְשִׁי	כִּי מִהֲחֻקֹּת חֲנֹף כִּי יִבְצַע
כִּי תִבּוֹא עָלַי צָרָה	הַצַּעֲקָתוֹ יִשְׁמַע אֵל
יִקְרָא אֱלֹהֵי בְכַלְעֵת	אִם־עַל־שָׂדֵי יִתְעַנֵּג
אֲשֶׁר עַם־שָׂדֵי לֹא אֶכְחָד	אוֹרֵה אֶתְכֶם בִּידֵ־אֵל
וְלִמְהִיזָה הַבַּל תִּקְבְּלוּ	הֵן אַתֶּם כָּלְכֶם חַיִּים

The passage is to be translated as follows:

My righteousness I held fast, and will not let it go;
 My heart did not blaspheme as long as I have lived.
For I thought, "Let mine enemy be in the wrong,
 And my adversary be the unrighteous one.
 For what will be the hope of the godless, though he
 acquires gain,
 When God will require his soul?
 Will God hear his cry,
 When trouble cometh upon him?
 Will he be able to implore⁷³ the Almighty,
 And call upon God at all times?"
 I will teach you on behalf⁷⁴ of God;
 And what is in the mind of the Almighty I will not conceal.
 Behold, all ye yourselves have seen it;
 Why then do ye speak vanities?

⁷² Somewhat similar views of the passage were proposed by Hengstenberg in part; Budde, in *ZATW*, 1882, pp. 205-210 and in his *Commentary*. See S. R. Driver, *Int. Lit. O.T.*, (New York 1906) 9th ed. p. 422. That it was not more generally accepted may be attributed to the absence of evidence for this usage elsewhere, such as is adduced in this paper.

⁷³ We hope to demonstrate elsewhere that on the basis of Semitic cognates 'anag in the Hithpael means "to implore, plead" in Isa. 57.4; Ps. 37.4; Job 22.26 and probably in Isa. 58.14.

⁷⁴ On this meaning of *b'ad*, see note 51 above.

VIII

F. — Closely related is the citation of a *hypothetical* speech or thought, an idea that *might or should have* occurred to the subject. Here the *verbum dicendi* must not only be supplied, but must be made to reflect the required mood.

A striking illustration occurs in Eccl. 4.8 —

יש אחד ואין שני גם בן ואח אין־לו ואין קץ לכל עמלו גם עיניו (ק')
לא־חשבע עשר ולמי אני עמל ומחסר את־נפשי מטובה גס־זה הבל וענין
רע הוא.

There is one that is alone, with no one besides him, neither son nor brother; Yet is there no end to his toil, nor is his eye ever satiated with his wealth. *He never asks himself*⁷⁵ "For whom then am I labouring and depriving myself of joy?" Yes, it is vanity, a bad business.

This usage is often to be met with in Rabbinic literature, particularly in legal argumentation, where hypothetical considerations are frequently invoked.

M. Ketubot 13.3

בנכסים מועטים הבנות יונו והבנים יחזרו על הפתחים אמר אדמון מפני
שאני זכר הפסדתי

"When an inheritance is small, the daughters are to be supported and the sons go begging from door to door. Admon says "*A son might argue under these circumstances, 'Shall I suffer because I am a male?'*"

B. Kamma 56a

מהו דתימא אנא כסויי כסיתיה ניהלך

You might say, *he might argue* "I covered it for you."

⁷⁵ So AV: "neither saith he." Moffat adds the formula and rephrases it in indirect discourse; "he never asks for whose sake he is toiling." The JV places the clause in quotation marks, "for whom then do I labor, etc."

The verb (לימא) which must here be understood is explicitly used in the parallel passages above and below:⁷⁶

מהו דתימא לימא מי הוה ידענא דאתיא רוח שאינה מצויה . . .

You might say "He might argue, 'Did I know that an exceptional wind would arise?'" "

מהו דתימא לימא דברי הרב ודברי התלמיד דברי מי שומעין

You might say, "He might argue, 'The Master's words take precedence over those of the pupil.'" "

Baba Metzi'a 35a

וניהמניה לזה למלוה נמי בהא כמה הוה שוה לא קים ליה בגויה

Let the borrower believe the lender on this point too, as to what the pledged object is worth. No, *the borrower could say*, "*The lender is not familiar with its true value.*"⁷⁷

The various categories discussed thus far reproduce sentiments and ideas which do not represent the present standpoint of the speaker and must be regarded as expressions of the view of other persons or times. They can only be understood by the addition of an introductory formula of speaking or thinking and quotation marks. They are not, however, quotations in the usual sense of the term, that is to say, these passages did not have an independent literary existence before they appeared in their present context.

Quotations of this latter type are also highly frequent. As one would expect, proverbs, brief, pithy and widely familiar, would naturally be widely utilized in this manner. The various types of usage of proverbs must now engage our attention.

⁷⁶ The absence of לימא in our original passage cannot be explained as an error due to haplography, since it is not missing in both parallel clauses. Cf. Rabinovicz, *Dikduke Sopherim*, *ad loc.*

⁷⁷ Cf. Rashi *ad loc.*, who supplies the formula of quotation: מימר אמר לזה לא קים למלוה בגויה דמשכון.

IX

G — The straightforward use of *Proverbial quotations*, cited to buttress an argument and therefore requiring no expansion or comment, because the writer accepts them as true.

Ex. 23.8

ושחר לא תקח כי השחר יעור פקחים ויסלף דברי צדיקים
And thou shalt take no gift; for "a gift blindeth them that have sight, and perverteth the words of the righteous."

Deut. 16.19

לאֲחַמָּה מִשֹּׁפֵט לא תכיר פנים ולאֲחַקֵּה שֹׁחַר כי השחר יעור עיני חכמים
ויסלף דברי צדיקים

Thou shalt not wrest judgment; thou shalt not respect persons; neither shalt thou take a gift; for "a gift doth blind the eyes of the wise, and pervert the words of the righteous."

Ps. 34.12-15

יראה ה' אלמרכם	לכויבנים שמעורלי
אוהב ימים לראות טוב	מיהאיש החפץ חיים
ושפתוך מדבר מרמה	נצר לשונך מרע
בקש שלום ורדפהו.	סור מרע ועשהיטוב

Come, ye children, hearken unto me; I will teach you the fear of the Lord.

"Who is the man that desireth life, and loveth days, that he may see good therein?

Keep thy tongue from evil, and thy lips from speaking guile, Depart from evil, and do good; seek peace, and pursue it."

Job 2.4 f.

ויען השטן אתה' ויאמר עור בעד־עור וכל אשר לאיש יתן בעד נפשו.
אולם שלח־נא ירך וגע אל־עצמו ואל־בשרו אס־לא אל־פניך יברכך

And Satan answered the Lord and said, "Skin for skin, yea, all a man hath, will he give for his life. But put forth thy hand and touch his bone and flesh, surely he will blaspheme Thee to Thy face."

The first half of Satan's speech bears all the earmarks of a folk-proverb. Note the parallelism of structure, the realistic character of the generalization, and above all the idiomatic brevity of the first stich (עור בעד עור) which creates the difficulties for the modern exegete.⁷⁸ Only such stylistic criteria can help determine, with any degree of assurance at all, whether the text is a folk-saying quoted by the author or an apothegm composed by him.⁷⁹

Job 17.5

ועיני בניו תכלינה

לחלך יגיד רעים

⁷⁸ עור בעד cannot mean "in place of," which would be expressed by תחת (Ex. 21.23 f.; Lev. 24.18, 20) or by the *Beth pretii* (Deut. 19.2). It must be interpreted "on behalf of" (e. g. Isa. 8.19) with עַל understood, "(a man will give one) skin on behalf of (another) skin." (So nearly all — Driver-Gray, Dhorme, Hoelscher, etc.) That it means "upon, about" hence "one skin lies upon another skin" (Schultens, Merx, Budde) is less likely, since this meaning of עור בעד is restricted (even in Jon. 2.7; Ps. 3.4; 139; 11) to verbs or nouns implying shutting off or protecting (cf. Judg. 9.51; Job 7.7 and often). Torczyner's ingenious suggestion in his Hebrew commentary that עור בעד is the Arabism *عور*, "after, under," and hence is equal to תחת, should also be mentioned, even if it does not carry conviction. Much more acceptable is his suggestion in his earlier German work (Das Buch Hiob 1920), p. 2) that the verse read originally: עור בעד עור יתן איש וכל אשר לו יתן בעד ביתו, though the change is not absolutely required.

⁷⁹ Cf. the learned and stimulating work of Archer Taylor, *The Proverb* (Cambridge 1931), especially his illuminating observations on page 6: "We shall never know for example, which of the Exeter Gnoms in Old English poetry are proverbial and which are the collector's moralizing in the same pattern. . . . In a dead language the means which are available are various, but not always effective or easily applied. A passage, when it varies grammatically or syntactically from ordinary usage or from the usage of the context, can be safely declared to be proverbial." See also his discussion of "Proverbs and individual authors" in which he cites countless examples of the difficulty in distinguishing folk sayings and the work of individuals, (pp. 34-43) and his remark (p. 34): "Of course an individual creates a proverb and sets it in circulation. The inventor's title to his property may be recognized by all who use it or his title may be so obscured by the passage of time that only investigation will determine the source of the saying." His discussion of biblical proverbs (pp. 52-61) is also extremely interesting. Pertinent to our theme is his statement (p. 59): "Biblical proverbs, and among them perhaps even those which we have discussed, may have been proverbs before their incorporation into Holy Writ."

This highly difficult verse, which has been subjected to a great variety of interpretations, is probably best taken as a folk-saying;

"He invites friends to share (his table), while his own children's eyes fail (from starvation)."

Job argues that the friends are dispensing wisdom to him from an all too slender stock of their own.⁸⁰

This use of a quotation to support a point of view, with no external sign of the borrowing, occurs in Rabbinic literature:

B. Erubin 54a

אמר ליה רב לרב המנונא בני אם יש לך היטב לך שאין בשאול תענו
ואין למות התמהמה ואם תאמר אניה לבני חוק בשאול מי יגיד לך בני
אדם דומין לעשבי השדה הללו נוצצין והללו נובלין

While there is no formal indication, Rab begins this counsel to Rab Hamnuna with a quotation from Ben Sira to which he appends his own comments:

"My son, if you have the wherewithal,
Do good to yourself,
For there is no pleasure in the grave,
And no postponement of death."^{80a}
And if you say, Let me leave a portion for my son,
Who can tell you in the grave (what will happen to it)?
Men are like the grass of the field,
These sprout and others decay.

The stichs in quotations marks are cited from Ben Sira 14.11-12;⁸¹ the remainder is Rab's own, except for the last stich, which is a free paraphrase of Ben Sira 14.18b.

⁸⁰ So Budde, Peake. Cf. Driver-Gray *ad loc.*

^{80a} These lines are egregiously mistranslated by Box and Oesterley in their edition of Sirach in R. H. Charles, *Apocrypha and Pseudepigrapha of the O. T.* (Oxford 1913) vol. 1, p. 367. They render: חוק לבני חוק בשאול מי יגיד לך "If thou say, I will give rest to my sons, the decree of (lit. in) Sheol who will declare it unto thee?"

⁸¹ On the verbal variations between the talmudic citation and the Genizah text, cf. Israel Lévi, R. Smend, R. H. Charles *ad loc.*, Talmudic quotations

The same usage occurs in Egyptian literature. In the "Admonitions of a Prophet" which probably emanates from the end of the second millenium, we have a graphic description of the widespread destruction sweeping over the social order, with the lowly attaining to wealth and importance. In the "Second Poem," each stanza begins with the refrain, "Behold," a characteristic rhetorical device. Part of this section reads as follows:

Behold, he that had no bread now possesseth a barn; (but) that wherewith his storehouse is provided is the poverty of another.

Behold, the bald head that used no oil now possesseth jars of pleasant myrrh.

Behold, she that had no box now possesseth a coffer.
She that looked at her face in the water now possesseth a mirror.

(A verse left incomplete.)

Behold, a man is happy when he eateth his food:
"Spend thy possessions in joy and without holding thee back! It is good for a man to eat his food, which God assigneth to him whom he praiseth . . ."

The last two sentences, as Erman notes, are "a quotation from an old book."⁸² They have been introduced to buttress the argument. Actually they are not altogether appropriate. For while the author is describing the lot of a man formerly poor, who is now happy to have something to eat, the proverb urges the enjoyment of life. But the use of quotations only partly relevant to the context is characteristic of writers everywhere.

of Scripture were generally made from memory and thus show a tremendous number of variations from the Masoretic Text. For this reason they are of little text-critical value. Cf. V. Aptowitzer: *Das Schriftwort in der rabbinischen Literatur* (5 Hefte, Wien-Leipzig, 1906-15).

⁸² A. Erman, *The Literature of the Ancient Egyptians* (London, 1927) p. 102. He is at a loss to explain the quotation and asks "But what is it doing here?"

An example occurs in Eccl. 5.1, 2, where only part of the proverb is relevant:

אִלְתַּחְבֵּל עַל-פִּיךָ וּלֹכֵךְ אֱלִימֶהָר לְהוֹצִיא דָּבָר לִפְנֵי הָאֱלֹהִים כִּי הָאֱלֹהִים
בְּשֵׁמִים וְאַתָּה עַל-הָאָרֶץ עַל-כֵּן יִהְיוּ דְבָרֶיךָ מְעֻטִּים: כִּי בָּא הַחֹלֹם רַב־
עֵינָן וְקוֹל כִּסִּיל רַב־דְּבָרִים

Do not hasten to speak, nor let yourself be rushed into uttering words before God, for God is in heaven and you are on the earth — therefore, let your words be few. For "as dreams come with many worries, so the fool speaks with many words."⁸³

Proverbial quotations may occur *without being part of a larger context*, the writer regarding them as sufficient to express his point of view.

This has often been overlooked in Ecclesiastes, who, for all his unconventional ideas, would by and large endorse the practical counsel given, for example, in the book of Proverbs.

Hence many of the proverbs in the Ecclesiastes may be either sayings quoted from earlier literature which he approves or originally composed by Koheleth, doubtless in the course of his career as a Wisdom teacher. The most confirmed cynic will agree that

By slothfulness the rafters sink in;
And through idleness of the hands the house leaketh (10.18).

He might suggest that it is wise to diversify one's undertakings:

Cast thy bread upon the waters,
For thou shalt find it after many days (11.1).

⁸³ The entire section 4.17-5.6 is excised as the work of the Hasid glossator by McNeile, while vv. 5.1-2 are regarded as the product of K5 by Siegfried. Haupt however regards 4.17, 5.1 as genuine, but eliminates 5.2. Barton accepts the entire section except 5.2, 6a. Volz eliminates vv. 1-2 as an "unimportant proverb." Actually, terms like *בסיל*, *ענין*, *חפץ*, and, above all, the general viewpoint expressed, are completely in accord with what we should expect of Koheleth, and there is no convincing reason for doubting the genuineness of the passage. Levy does not recognize 5.2 as a proverb, which is clear by its parallel structure. So also Hertzberg.

The mishnic treatise *Abot* consists entirely of favorite sayings of Rabbinic teachers, generally introduced by the phrase: "he was wont to say, etc." In two instances, however, the sayings attributed to Rabbis are entirely quotations from extant literature, instead of being original maxims, yet they are introduced by the same formula. In *Abot* 4.4, R. Levitas cites Ben Sira 7.17⁸⁴ רבי לויטס איש יבנה אומר מאד מאד הוי שפל רוח שתקות אנוש רמה. In 4.24 Samuel Hakatan cites Prov. 24.17 f. שמואל הקטן אומר בנפל איבך אל תשמח ובכשלו אל יגל לבך פן יראה ה' ורע בעיניו והשיב מפו both passages should be rendered: "He was wont to say, '*It has been written,*' etc."

Another instance of this citation of a literary passage without any external mark of a quotation occurs in *B. Kethubot* 22b, as the Tosafists have noted.⁸⁵ The passage reads: משום דרב אסי: דאמר הסר ממך עקשות פה ולווח שפתים הרחק ממך

This position is maintained because of R. Asi who used to say, "*It is written* (Prov. 4.24) 'Put away from thee a froward mouth, and perverse lips put far from thee.'"

It is noteworthy that these citations are all proverbial in character, being drawn from *Proverbs* and *Ben Sira*. The pithy character of the sayings lend themselves to quotations and explain the frequency of this practice in the text of *Ecclesiastes*.

X

H — *The use of proverbial quotations as a text*, on which the author comments from his own viewpoint, is an outstanding stylistic characteristic of Koheleth.

Thus Eccl. 7.9-18 is a collection of seven *Hokmah* utterances, expressing conventional Wisdom teachings and linked together by the opening word *tōbh*. Each proverb is amplified by a comment bearing all the earmarks of Koheleth's style and viewpoint.

⁸⁴ On the text of Ben Sira, see note 81 above.

⁸⁵ Cf. Tosafot *ad loc.*: פסוק הוא אלא רב אסי רניל להביא. See also Barukh Epstein, *Mekor Barukh* (Vilna 1930), vol. I, p. 70, note 1: והיה: לגמרא לומר כדכתיב "The Gemara should have said, as it is written."

A full discussion of this passage must be sought elsewhere.⁸⁶ One illustration may however be adduced here. Thus, a typically abstemious and moralizing doctrine is sounded in Eccl. 7.2a:

טוב ללכת אליביתאבל מלכת אליביתמשחה

It is better to go to the house of mourning
Than to go to the house of feasting . . .

a proverb, warning against the revelry and immorality of the house of mirth.⁸⁷ But Koheleth gives it a darker undertone:—

כאשר הוא סוף כל־האדם והחי יתן אל־לבו

For that is the end of all men
And the living will lay it to heart. (Eccl. 7.2)

Examples of this use of proverb as text with ironic comment are plentiful. Thus a proverb extols the virtues of cooperation. Koheleth approves the sentiment, but for reasons of his own:

Men say, "Two are better than one, because they have a reward in their labor." True, for if either falls, the other can lift his comrade, but woe to him who is alone when he falls, with no one else to lift him. Then also, if two sleep together, they will be warm, but how can one alone keep warm? Moreover, if some enemy attack either one, the two will stand against him, while a triple cord cannot quickly be severed. (Eccl. 4.9-12).⁸⁸

⁸⁶ Cf. "The Heptad As An Element of Biblical and Rabbinic Style" in *JBL*, 1943, vol. 62 pp. 17-26, especially pp. 20 ff.

⁸⁷ Levy takes the entire verse as a quotation of an ascetic, but is unable to explain why, if Koheleth is opposed by its theme, he quotes it at all. Levy overlooks the fact that Koheleth's counsel of joy as the highest good flows from a profoundly tragic conception of life. Cf. *The Wisdom of Ecclesiastes*, pp. 8-27; Hertzberg remarks aptly (p. 120) "*Die Grundgestimmtheit macht hier den fundamentalen Unterschied.*"

⁸⁸ While Siegfried, McNeile and Haupt eliminate these verses as glosses, Barton justly remarks, "It is an open question whether Koheleth himself may not have introduced them" (*op. cit.*, p. 110). Hertzberg and Levy see no quotations here at all, but retain the passage as authentic. The closing formula, however, suits a cited aphorism better.

The teachers of morality emphasized that love of money does not make for happiness. This idea is expanded by Koheleth through the characteristic reflection that strangers finally consume the substance of the owner, an idea to which he refers again and again (cf. 2.18 ff., 4.7 ff.):

"He who loves money will never have enough of it and he who loves wealth will never attain it,"⁸⁹ this is indeed vanity. For as wealth increases, so do those who spend it, hence what value is there in the owner's superior ability, except that he has more to look upon? (Ecc. 5.9 f.)

The Book of Proverbs counsels submission to political authority:

Fear, my son, God and king, and meddle not with those who seek change. (Prov. 24.21)

Koheleth repeats this idea but with his tongue in his cheek:

I say: keep the king's command, because of the oath of loyalty.

Submit to the king because of your oath of fealty, but also, he adds as an afterthought:

Since the king's word is law, who can say to him,
"What are you doing?" (Eccl. 8.2-4)

because the king is powerful enough to crush you.

Similarly, to maintain oneself in an atmosphere of political tyranny and intrigue requires skill in choosing the proper occasion. That idea Koheleth appends as a comment to a perfectly moral utterance about the virtues of obedience:

"Whoever keeps the commandment shall know no evil"
but a wise man's heart discerns the proper time. For

⁸⁹ **לֹא תִבְוָאָה** is generally rendered, "he will have no increase," but aside from the difficult syntax, **תִּבְוָאָה** means "grain," not "increase." Hence, vocalize **לֹא תִבְוָאָה** = **לֹא תִבְוָאָהוּ** "lit. it will not reach him, i. e., he will not attain it," a perfect parallel to **לֹא יִשְׁבַּע כֶּסֶף**. **הָמוֹן** is feminine in Job 31.34; on the meaning "wealth" cf. Ps. 37.16, also Isa. 60.5.

every matter has its proper time, for man's evil is great upon him. (Eccl. 8.5-6)⁹⁰

In addition to these examples which mirror the political conditions of Koheleth's time, several interesting instances of his use of conventional *Hokmah* material in the field of religion and philosophic speculation are apparently to be met with.

For example, Koheleth is not disposed to deny altogether that retribution overtakes the sinner. Yet, in many instances, the righteous and the wicked are treated alike. At other times, punishment is meted out to the sinner, but only after a long delay, which affords him the opportunity and the incentive to sin.

These two limitations on Divine justice are referred to in an interesting passage, 8.11-14, the center of which (vv. 12b, 13) is a quotation of the traditional view, from which Koheleth dissents. There is therefore no need to eliminate vv. 11-13 as a gloss.⁹¹ Our rendering is as follows:

Because judgment upon an evil deed is not executed

⁹⁰ These verses are excluded as the work of the Hasid glossator by McNeile, Barton, Volz and Eissfeldt (*loc. cit.*). Levy on the other hand, takes the entire passage, vv. 2-8, as a quotation of a pious sentiment, with a loss, it seems to us, in the piquancy of the passage. Hertzberg recognizes that וְיִשְׁפֹּט is not a religious commandment, but the command of the king.

⁹¹ These verses, 11-13 inclusive, are attributed to the Hasid glossator and deleted by Siegfried, Haupt, McNeile and Barton, largely because of v. 12; while Volz and Eissfeldt eliminate vv. 12, 13. Practically all translations and commentators seek to connect 12a and 12b, in accordance with the Masoretic punctuation, which places a full stop at the end of v. 11, and a secondary pause (*Athnah*) at the middle of v. 12 (וְ). They therefore follow the Vulgate *attamen* and render the opening וְשִׁי in v. 12a as "although." This, in spite of the fact that the opening וְשִׁי in v. 11 is given correctly as "because." They therefore render "Although a sinner does evil exceedingly, and prolongs his days, nevertheless I know that it shall be well with those who fear God," etc. (so Barton, Hertzberg). Actually the opening וְשִׁי in v. 12, like וְשִׁי in v. 11, is to be given as "because," and v. 12a continues the idea expressed in v. 11, while v. 12b introduces the contrary and conventional view as a quotation. It may be added that the usual interpretation suffers from several linguistic difficulties. There is no warrant for וְשִׁי meaning "although"

speedily, men's hearts are encouraged to do wrong, for a sinner commits a hundred crimes and God is patient with him, though I know the answer that "it will be well in the end with those who revere God and fear Him and it will be far from well with the sinner, who, like a shadow, will not long endure, because he does not fear God."

Here is a vanity that takes place on the earth — there are righteous men who receive the recompense due the wicked, and wicked men who receive the recompense due the righteous. I say, this is indeed vanity.

Koheleth would undoubtedly agree with the universal view that life on any terms is preferable to death. Yet his general intellectual conviction as to the futility of living impels him to a comment, which ostensibly justifies, but actually undermines, the entire proposition.

'He who is attached to the living still has hope, for a live dog is better than a dead lion!' The living know at least that they will die, but the dead know nothing, nor have they any reward, for their memory is forgotten. Their loves, their hates, their jealousies, all have perished — never again will they have a share in all that is done under the sun. (Eccl. 9.4-6)

This usage of a quotation cited by the author and then refuted, or at least discussed, occurs several times in the Babylonian "Complaint on the Injustice of the World", the so-called *Babylonian Koheleth*.⁹² Thus the author explicitly cites two con-

and Hitzig, Delitzsch and Wright correctly render it ■■ "because." Moreover, on the accepted view, □□ '□ is made to introduce the principal clause of the sentence and the principal idea. However, its usage elsewhere (cf. Eccl. 4.14) as well as that of the equivalent conjunction, '□ □□ is invariably that of ■ subordinating conjunction = "although" (Isa. 1.15; Hos. 8.10; 9.16; 23.4; cf. also Prov. 22.6; Lam. 3.8). In our rendering, it introduces ■ genuine subordinate clause (vv. 12b, 13), subordinate logically as well as grammatically. It may be noted that our rendering agrees with that of Ludwig Levy.

⁹² See E. Ebeling, *Altorientalische Texte Zum A. T.* 2nd ed. (Berlin-Leipzig, 1926) pp. 287-292 for a German version of the text and annotations, as well as a brief bibliography.

ventional proverbs on the well-being of the righteous, which he does not accept (ll. 69-71). In Ebeling's version:

Einen Spruch will ich vor dir besprechen(?)!

"Es gehen den Weg des Glücks die nach Mord nicht trachtenden."

"Mehr als ein Geschöpf (gilt) der Schwache, der zu (Gott) betet."

Mehr als irgend ein Menschenkind habe ich um den Plan Gottes mich gekümmert.

A saying I wish to discuss with you:

"They go on the road to fortune, who do not think of murder."

"More than a mere creature is the weak one who prays to God."

More than any other child of man, have I been troubled about God's plan.

Another quotation without an introductory formula occurs in ll. 215 ff. The poet laments the prosperity and success of the wicked. He then cites the conventional proverbs which urge obedience to the god as the secret of well-being, which he then refutes by emphasizing the unpredictability and transitoriness of God's favor.

In Ebeling's translation, the passage reads as follows:

Ohne Gott besitzt der Schurke Vermögen,

Der Mord als seine Waffe geleitet ihn.

"Der du nicht suchst den Rat Gottes, was ist dein Glück?"

"Wer das Joch Gottes zieht, der ist . . . für sein Brot ist gesorgt"(?)

(Nein), einen guten Wind der Götter suche!

Was du im Jahre zugrunde gerichtet hast, ersetzt du im Augenblick.

Unter den Menschen habe ich Opferschau angestellt,
wechselsvoll sind die Zeichen.

Without God, the rogue possesses power,

For murder as his weapon accompanies him.

"You who do not seek the counsel of the God, what is your fortune?"

"He who bears the yoke of God, his bread is provided!"

No, seek rather a good wind of the gods.

What you have destroyed in a year, you restore in an instant,

Among men I have set offerings, changeable are the omens.

The lines in quotation marks are not indicated externally as such, but are evidently citations of accepted ideas, with which the melancholy poet is in disagreement. That ll.69-71 and 217 f. are quotations is recognized by Ebeling who adds the comments "So sagen die Menschen" and "So sagen die Leute," the precise formula required in all the instances we have cited above, and adds the quotation marks.

Prof. Samuel N. Kramer has expressed his conviction that Sumerian Wisdom literature, which still awaits detailed investigation, will disclose the use of proverbs as quotations, parallelling these categories.

XI

I — *Contrasting proverbs* offer another way of contradicting accepted doctrines. As is well known, proverbs frequently contradict one another, since they express the half-truths of empirical wisdom. "Fools rush in where angels fear to tread" is opposed by the saw "To hesitate is to be lost." The beautiful sentiment "Absence makes the heart grow fonder" is bluntly denied by the saying "Out of sight, out of mind."

The compiler of Proverbs was aware of this tendency when he quoted these two maxims in succession:

Answer not a fool according to his folly, lest thou also be like unto him.

Answer a fool according to his folly, lest he be wise in his own eyes. (Prov. 26.4, 5)

Job and Koheleth use the same device, but for their own purposes.

They quote one proverb and then register their disagreement by citing another diametrically opposed thereto.

No theme was dearer to the hearts of the instructors of youth than that of the importance of hard work.⁹³ Koheleth expresses his doubts on the subject by quoting the conventional view and following it by another proverb of opposite intent:

"The fool foldeth his hands together, and eateth his own flesh."

"Better is a handful of quietness, than both hands full of labour and striving after wind." (Eccl. 4.5, 6)

That Koheleth favors the second view is proved by its position as a refutation after verse 5, by the characteristic phrase, "vanity and chasing of wind," and by his oft-repeated view of the folly of toil in a meaningless world.⁹⁴

Like all the Wise Men, conventional or otherwise, Koheleth has a prejudice in favor of wisdom as against folly. He himself tells how the wisdom of one poor man proved more efficacious than a mighty army. Yet he knows, too, how little wisdom is honored for its own sake, and how one fool can destroy the efforts of many wise men. These ideas seem to be expressed in some reflections, consisting of brief proverbs contradicted by others.⁹⁵

⁹³ For the conventional view, cf. among other passages, Prov. 6.6-11; 10.4; 12.24, 27; 13.4; 19.24; 24.33. Koheleth's attitude is expressed in 2.18 ff.; 4.4 ff.; 5.12 ff.; 6.1 ff.

⁹⁴ Vulgate, Ibn Ezra, and Levy supply "saying" after v. 5, thus making v. 6 the opinion of the fool, who prefers indolence to labor. This solves the contradiction of vv. 5 and 6, to be sure, but places Koheleth in the position of urging hard work, which is highly unlikely. See note 93 above. Barton's elimination of 4.5, as the gloss of the *Hokmah* interpolator, deprives the passage of the unique flavor of its author's personality.

⁹⁵ So Levy. Barton, following Siegfried and Haupt, considers 9.17-10.3 a *Hokmah* interpolation. Volz eliminates 9.17, 18a as "unimportant proverbs." Such a procedure fails to reckon with the fact that Koheleth was himself a member of the *Hokmah* school. Verse 9.17, regarding the value of quiet speech, though a conventional utterance, is completely in accord with the unimpassioned spirit of Koheleth's own reflections, and there is no good reason for doubting its authenticity. Hertzberg recognizes in 16a and 17 the accepted opinion which Koheleth refutes.

I thought "Wisdom is better than prowess" but "the wisdom of the poor man is despised and his words are not heard."

"Wisdom is better than weapons of war." But "one fool destroys much good." (Eccl. 9.16, 18)⁹⁶

Here, the latter proverbs, in which Koheleth expresses his own standpoint, are undoubtedly of his own composition. The former proverbs, from which he dissents, may be quotations, or, as seems more probable, original restatements by Koheleth of conventional *Hokmah* doctrines.

The recognition of this device in Job (12.12 f.) helps to explain an otherwise abrupt transition. Throughout the argument Job's friends have insisted that they possess superior wisdom because of their greater age:

What knowest thou, that we know not?
What understandest thou, which is not in us?
With us are both the gray-headed and the very aged,
Much older than thy father in days. (Job 15.9, 10)

Job denies this principle, by citing it in one proverb and refuting it by another. Here, too, the use of quotation marks and an introductory formula makes the connection clear:

You say "With aged men is wisdom and length of days is understanding."

I say "With Him is wisdom and might; He hath counsel and understanding." (Job 12.12, 13).⁹⁷

⁹⁶ The root נָטַף, as Barton (*op. cit.*, p. 165) notes, means "to miss, make an error" and refers here to intellectual slips, so that to Koheleth it is almost identical with כָּסִיל. So, too, נָטַף in 10.4 refers to errors committed by a courtier before a ruler, and not to sin in the moral or religious sense. A study of the concepts "sin" and "folly" in Wisdom literature generally and in Koheleth in particular is in process.

⁹⁷ Driver-Gray, *ICC Commentary on Job*, vol. 1, p. 116 f., quote this interpretation, but do not accept it "because the antithesis is formally unexpressed." Instead they delete both vss. as unauthentic. The evidence adduced in this paper of the frequent absence of such formal signs should be sufficient to modify this judgment. Siegfried and Duhm omit these verses — an easy escape from the difficulty which solves nothing. Some scholars take v. 12 interrogatively, "Have the aged men wisdom, and length of days under-

Per se, the second proverb merely asserts God's wisdom; but by being placed in juxtaposition to v. 11, it serves to undermine the doctrine of the superiority of the aged. The authenticity of both verses emerges from a careful noting of the terms employed.⁹⁸

The relationship between these two verses is aptly illustrated by another passage of similar import from the Elihu speeches. Like Job, Elihu is impatient with the pretensions of the Elders to superior wisdom. He also quotes the accepted opinion as to the relation between age and wisdom and then proceeds to refute it. He does so, however, not by a proverb, but by a comment. Here the transition is clear because of the use of the introductory words: (v. 7, אמרתי; v. 8, אכן)

I thought "Days should speak, and many years should teach wisdom."

But it is the spirit in man and the breath of the Almighty, that gives understanding. (Job 32.7, 8)

standing?" (Volz, Ball). Others interpolate חכ' before the verse (Hoelscher) or prefix לא "The aged have not wisdom," etc. (Beer, Jastrow), thus deriving from the verse a denial of the wisdom of the old. On the other hand, Dhorme places vv. 11 and 12 after v. 9, retaining the affirmation of the wisdom of the aged. Budde stands alone in recognizing that v. 12 is a quotation of the traditional view, refuted in v. 13.

⁹⁸ In v. 12a the aged are credited with חכמה, in 12b with בינה. That v. 13 follows directly upon it as a refutation is clear from the fact that 13a attributes the same חכמה to God, and 13b, the identical בינה, but adds נבונה and עצה respectively. These four qualities are identical with the attributes of "the spirit of the Lord" given in Isa. 11.2: 'ונחה עליו רוח ה' רוח חכמה ובינה רוח עצה ונבונה רוח דעת ויראת ה' Job chap. 12 offers other evidence of the familiarity of its author with the book of Isaiah. Thus 12.9 is a citation of Isa. 41.20c. Cf. the table of parallels with Isa. ch. 40-66 in Driver-Gray. *op. cit.*, I, p. LXVIII and our note below. Thus Job gives an earlier terminus *non post quem* for the uniting of the prophecies of Isaiah ben Amoz and Deutero-Isaiah than the reference to Isaiah in Ben Sira 48.24 f.: ברוח נבונה חזה אחרית וינחם אבלי ציון עד עולם הגיר נהיות ונסתרות לפני בואן The discovery on April 11, 1948 by Dr. Millar Burrows of the ms. containing the entire text of the book of Isaiah, which Dr. Albright dates in the 2nd century B. C. E., before the Nash Papyrus, will no doubt have important implications for the literary history of the book. The entire discovery is now the subject of lively scholarly discussion.

XII

J. *Quotations are used in argumentation* in a different manner in the Dialogue in Job. In attacking the conventional views on reward and punishment, Job has no need to cite literary sources, for the doctrines are being expounded in his very presence by the Friends. Hence Job quotes the utterance of his adversaries, and even distorts them in some degree, as men have always done in controversy.

Job's closing speech in the Second Cycle (Chapter 21, vv. 19-34) supplies an excellent illustration. Here commentators have resorted to excision and emendation, in order to make the passage intelligible.⁹⁹ These expedients become unnecessary if we recognize that here, at the end of the Second Cycle of speeches, Job restates no less than four arguments of the Friends and refutes each in turn:

I. The Friends argue that the sins of the father will be visited upon the children, (cf. Job 5.4; 18.12; 20.10, 26). This view, eminently satisfying in the old days of group solidarity, was becoming increasingly unattractive with the emergence of the individual personality in Hebrew thought. In 21.19a, Job quotes this view; in vv. 19b-21, he refutes it.

II. Another argument of the Friends is that God is too exalted for human comprehension and hence His Wisdom is beyond man's criticism. This is a favorite theme of Eliphaz (4.17; 15.8, 14) and Zophar (11.6 ff.). This view Job paraphrases in 21.22:

Shall any one teach God knowledge?
Seeing that He judges those on high?

Manifestly Job cannot deny the transcendence of God. He therefore proceeds to refute this conception of God's perfect dealings with man, not directly but obliquely. He paints an unforgettable picture of reality, emphasizing the contrast between the ease of the wicked and the bitter lot of the just during their lifetime, while even in death there is no just retribution, for they both meet the same end (vv. 23-26).

⁹⁹ See Note 6 above for details.

III. The Friends have delighted to point out that while the sinner may seem to be well entrenched in his prosperity, calamity suddenly comes upon him, destroying his habitation and leaving nothing to mark the site of his former glory. This position has been emphasized by Eliphaz (in 5.3 ff.; 15.32 ff.) Bildad (8.22; 18.5-21), and Zophar (11.20; 20.26).

Job quotes this favorite doctrine of the Friends in the form of a rhetorical question addressed to him (v. 28):

‘Where is the house of the prince, or where the tent of dwelling of the wicked?’

Then, taking the rhetorical question at face value, he proceeds to reply sarcastically that any passer-by can point out the mansion of the oppressor standing unharmed in all its glory. (v. 29)

IV. The Friends insist that punishment ultimately overtakes the sinner, no matter how long the delay. Koheleth had already pointed out that this delay in punishment encourages men to commit crime (Eccl. 8.11 ff.). Job, however, is concerned with the injustice involved. He quotes the opinion of the Friends (v. 30) but insists that justice demands an immediate punishment of the sinner. Instead, Job says, the transgressor lives a life of ease, and to cap it all is buried with pomp and ceremony at the end (vv. 30-34).¹⁰⁰

The entire passage understood in this light is a striking example of effective argument, marked by passion, irony and logic.¹⁰¹

¹⁰⁰ The unconventional Wisdom teachers were greatly exercised over the fact that successful malefactors often attained to a mantle of respectability which enveloped them to their last moment and beyond, so that they have elaborate funerals with fulsome eulogies extolling their non-existent virtues. On the importance of these last rites cf. Eccl. 6.3 (read *וְגַם קְבוּרָה לֹא הֵיחָהּ*) (ל) “even if he have a large funeral” and 8.10 ff. (read *וְשִׁתְּבָחוּ*) = they are praised”). A reference to elaborate obsequies for a king apparently occurs in 4.16; on these passages cf. *Wisdom of Ecclesiastes*, *ad loc.*, and the forthcoming Commentary for details.

¹⁰¹ The use of quotations in chap. 21 has been partially recognized. Thus, v. 19a is taken as a quotation by Budde and by Driver-Gray, who follow the English version and prefix “Ye say,” and apparently by Ball (*Book of Job*,

19. A. *You say* "God stores up his iniquity for his children"...
 Let Him recompense *him*, that *he* may know it!
20. Let his own eyes see his destruction,
 And let *him* drink of the Almighty's wrath.
21. For what concern has he in his house after him,
 When the number of his months is cut off?
22. B. *You say* "Shall anyone teach God knowledge?
 Seeing He judges those on high?" . . .¹⁰²
23. One dies in his full strength,
 Being wholly at ease and secure.
24. His pails are full of milk,
 And the marrow of his bones is moistened.
25. And another dies in bitterness of soul,
 And has never tasted any joy.
26. Together they lie down in the dust,
 And the worm covers them over.
27. Behold, I know your thoughts.
 And the devices by which you do me violence.

1922). Verse 22 is similarly treated by Hitzig. The satiric intent of vv. 28 f. has been overlooked, and v. 30 has proved another stumbling-block. See Driver-Gray, *op. cit.*, for an excellent conspectus of the interpretation on these passages. On the other hand, Yellin, *op. cit.*, p. 52, renders vv. 19, 22 and 30 as quotations but takes v. 28 differently.

¹⁰² Verse 22b may possibly be rendered differently, as follows:

"Shall any one teach God knowledge
 And shall he judge the All high?"

i. e., can any human being presume either to instruct or to judge God. This rendering has the advantage of giving a better parallelism to the verse. For עֲלִיּוֹן as an epithet of God, compare the biblical and Canaanite use of עֲלִיּוֹן (Num. 24.16; Deut. 32.8; II Sam. 22.14; Isa. 14.14; Lam. 3.35, 38; and very frequently in the Psalms, 91.1, 9; 92.2 and often). Cf. also the very common title גִּבּוֹר "The All-High" in rabbinic literature, probably a development from the usage in Ps. 138.6. Note also the use of רֵם וְנִשָּׂא in Isa. 57.15. The plural of רֵם וְנִשָּׂא would be analogous to similar epithets, as קְדוֹשִׁים when applied to God (see Ehrlich, *Randglossen*, on Hosea 12.1; Prov. 9.10. So too Job 5.1:

$\text{קְרָא נָא הָיֵשׁ עִנְךָ וְאֵל מִי מְקַדְּשִׁים תִּתֶּנָּה}$

which is to be rendered: "Call out is there one to answer thee,
 And to whom rather than to God can you call?"

28. C. If you say: "Where is the house of the prince
And where is the tent of dwelling of the wicked?"
29. Haven't you asked the passers-by,
You cannot deny their tokens!
30. D. *You say* "Indeed the sinner is saved for the day of
calamity,
And will be led forth to the day of wrath."
31. But who shall declare his way at once,
And for what *he* has done — who will requite him?
32. For he is borne to the grave,
And men keep watch over his tomb.
33. The clods of the valley are sweet unto him,
And all men draw after him,
And before him an innumerable host.
34. How then do you comfort me with vanity?
And your answers remain only a betrayal.
(Job 21.19-34)

It is noteworthy that three times, no *verbum dicendi* occurs (vv. 19, 22, 30), while once (v. 28) a verb does occur, a phenomenon we have observed frequently above.

K — Another form of quotation in Job may be described as *oblique restatement*. At times, Job cites the opinion of the Friends, not literally but ironically, in a form bordering on parody. Failure to recognize this fact has vitiated many attempts to interpret chapter 12, one of the most striking utterances of Job, as has been noted above.

A clue to the understanding of the chapter is to be found in vv. 7, 8:

ועוף השמים ויגר לך	ואולם שאל נא בהמות ותרך
ויספרו לך דגי הים	או שיה לארץ ותרך

It is obvious by the singular verbs and suffixes (שאל, ותרך, שיה, לך) that Job cannot be talking to his Friends, whom he always addresses in the plural (cf. 6.21-20).

The passage 12.7-8 is actually a *restatement by Job of the Friends' admonition to him*. In 12.5, he has declared:

לפיד בוח לעשתות שאנן נכון למועדי רגל

that the secure can afford to look with contempt on the sufferings of their fellow-men. Then follows his recapitulation of the Friends' position as he sees it. They have had to admit the prosperity of the wicked (v. 6) but have sought, in effect, to deflect his attention elsewhere, by calling on Job to admire God's perfection as reflected in the natural order (vv. 7 f.; cf. 5.9 ff.; 11.7 ff.):

So that He setteth up on high those that are low,
And those that mourn are exalted to safety.
(Job 5.9)

Job meets this attempt to sidetrack the argument by replying that there is nothing new in the idea of the power and greatness of God (vv. 9-10); in fact, he can and does portray God's might far more effectively than the Friends (vv. 11-25). All this, he repeats, he knows as well as they (13.1, 2). Yet he still adheres to his desire to argue with the Almighty (13.3).

The entire passage (12.11-25) cannot be excised as simply as is sometimes taken for granted. This passage differs significantly from conventional descriptions of the greatness of God, like those to be met with in the words of the Friends (5.9 ff.; 25.2-6; 26.6-14). While the Friends stress the beneficent and creative functioning of the Almighty as revealed in the gift of rain (5.10), the discomfiture of the wicked (5.12 ff.) the glories of the heavens (26.2 f.) and creation (26.5 ff.), the tenor of Job's description of the power of God, both in our passage, as well as in 9.4 ff., is quite different.¹⁰³ Job emphasizes the negative and destructive manifestations. God moves the mountains, makes the earth tremble and shuts up the sun and stars that they give no light (9.5 ff.). God destroys beyond rebuilding, and imprisons men so that they cannot escape. He withholds water to cause drought and pours it forth to cause inundations. Nations are exalted only to be destroyed (vv. 14, 15, 23). Judges are made fools, the power of kings is broken, and priests are stripped naked; the mighty are overthrown, the elders robbed of under-

¹⁰³ The distinction is clearly recognized by Driver-Gray, *op. cit.*, vol. 1, pp. 84 f.

standing and the princes put to shame (vv. 16-21.). Incidentally, the fact that the poet regards the overthrow of the dominant political and spiritual leadership on a par with the calamities of nature as illustrative of the *destructive* powers of God, sheds important light on the basic upper-class social origins of Wisdom literature.¹⁰⁴

A translation of the salient sections of this passage will demonstrate its unity and power and clarify the process of thought:

4. A mockery have I become to His Friend,
Who calls to God and is answered, a mockery to the perfect saint!
5. For calamity there is contempt, in the mind of the secure,
Prepared for those whose feet stumble.
6. *You admit*, "The tents of the robbers are at peace, and the dwelling places of those who anger God, who hold God in their hand."
7. "But," *you say*, "ask the cattle to teach you, and the fowl of the heaven to tell you.
8. Or speak to the earth that it instruct you
and let the fish of the sea declare to you."
9. Who knows not in all this,
"that the hand of the Lord has made it!"¹⁰⁵
10. In whose hand is the soul of every living thing
and the spirit of all human flesh.
11. Indeed the ear tests words
as the palate tastes its food.
12. *You say*: "Wisdom is with the aged and understanding with length of days."

¹⁰⁴ Cf. "The Social Background of Wisdom Literature" in *HUCA*, vol. 18, 1944, pp. 113 f. J. W. Gaspar, *Social Ideas in the Wisdom Literature of the Old Testament* (Washington, 1947) fails completely to reckon with this and other indications of a specific social milieu and orientation in Wisdom literature.

¹⁰⁵ This verse has occasioned great difficulty because it contains the only use of the Tetragrammaton in the Dialogue. (אֱלֹהִים occurs in 28.28, the "Hymn to Wisdom" which is an independent poem, and the Tetragrammaton in 38.1 and 40.1, but these verses constitute the superscription rather than part of the poem itself, probably emanating from an editor.) To delete 9b as

13. *But I say: "With Him is wisdom and strength
His are counsel and understanding."*
14. Behold He destroys and it cannot be rebuilt.
He imprisons a man and he is not released.
15. He shuts up the waters and they dry up or
He sends them forth and they overturn the earth, etc.

. . . .

13. 1. Behold all this my eye has seen, my ear has heard and
understood,
2. What you know, I know also; I am not inferior to you.
3. But I will dispute with the Almighty and desire to argue
with God.

It is noteworthy that this oblique restatement by Job of the position of the Friends, occurs in chap. 12, in the closing speech of the First Cycle, exactly as the detailed refutation of the Friends' standpoint is in ch. 21, Job's concluding speech of the Second Cycle. The imperfect preservation of the Third Cycle makes it impossible to know whether Job used this method again at its close. It does seem clear, however, that Job employs this effective forensic device in the summation of his case.

Moreover, Job uses the device of quotations once more after the other side has spoken. In his final Reconciliation with God, he again repeats what has been said, but this time with no distortions or exaggerations. The Lord speaking out of the whirlwind, began:

"Who is this that darkens counsel
By words without knowledge?
Gird up your loins like a man;
For I will ask you and you tell Me." (38.2 f.)

After the magnificent portrayal of the power of God and the beauty of His world, Job is overwhelmed and concedes his

a gloss leaves 9a an isolated stich and requires the deletion of v. 10, with injury to the entire context. Actually the use of the Tetragrammaton is due to the fact that the poet is citing a familiar, quasi-proverbial phrase from Isa. 41.20c, which employs the national name of the God of Israel.

submission (42.2-6). He cites these utterances of God,¹⁰⁶ with no outward mark of the quotation, and adds his humble submissive comment:

I know that Thou canst do every thing
And that no purpose can be withheld from Thee.
Thou hast said, "Who is this that hides counsel without
knowledge?"

Indeed I have spoken without understanding,
Things too wonderful for me, which I know not.
Thou hast said, "Hear, and I will speak; I will ask you and
you tell me."

Once I had heard of Thee by hearsay;
But now my own eye has seen Thee;
Wherefore I reject my words and repent, dust and ashes.

That this use of quotations occurs not once, but three times in *Job*, and each time in the protagonist's final reply is scarcely a coincidence. On the contrary, it adds considerable weight to the view that this rhetorical use is characteristic of the author, and incidentally strengthens the view that the "Dialogue with the Friends" and the "God-speeches" emanate from the same inspired pen.

The evidence here adduced demonstrates, we believe, that the use of quotations is an authentic element of Biblical and extra-Biblical literature. When this usage is ignored, it leads to unnecessary and unwarranted excisions, transpositions and emendations and to a failure to grasp the spirit of the literature as a whole. When properly reckoned with, however, this use of quotations reveals the free play of varying emotions and the lively conflict of ideas, which characterized the ancients no less than their modern descendants.

¹⁰⁶ The minor variations are natural in recapitulating an argument. In 42.3 שמע נא ואנכי אדבר in 38.2; מחשיך עצה for מעלים עצה in 42.4a replaces אור נא כנובר חלצ'ך as an introductory challenge. Were these verses in ch. 42 interpolated from ch. 38, they would be exactly repeated. That these verses are cited by Job is recognized by Driver-Gray 1, p. 372.

A. INDEX OF BIBLICAL PASSAGES

Gen. 26:7	Ps. 10:3, 4	Job 21:19 ff.
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B. INDEX OF RABBINIC PASSAGES

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THE SEFIRAH SEASON

A Study in Folklore

LOU H. SILBERMAN, Omaha, Nebraska

WHILE the question of when the counting of the Omer was to begin has been abundantly discussed both in ancient and modern times, an examination of the specific practices and beliefs which Judaism connected with this season has been, along with so many problems of Jewish folklore, in large measure neglected. Thus, the real nature and origin of the quasi-ominous character of the period with its concomitant peculiarities and practices have been almost completely obscured beneath the gradual accumulations of legendary and late historical explanations.¹

The earliest allusion to any peculiar and unusual status of this season is to be found in the Mishna in a discussion between R. Johanan b. Nuri and R. Akiba regarding the duration of the punishment of the wicked in Gehinom. R. Akiba declares that the period is twelve months, while R. Johanan claims that the wicked are punished from Passover to Pentecost.² Likewise in b. Shabbath 129b we find reference to the ominous nature of the Eve of Shabuoth in a discussion of dangerous days. Still another indication of the ominous character of this period may be found in the report that the death of many scholars occurred during it. About this latter, though it is most often given as

¹ A detailed survey of the controversies over this point is to be found in D. Hoffman, *Abhandlungen über die pentateuchischen Gesetze*, (Berlin, 1878) I. The latest contribution to the solution of the problem is to be found in J. and H. Lewy, "The Week and the Oldest West Asiatic Calendar" *HUCA*, XVII (1942-1943). See especially pp. 75-146.

² Eduyoth 2.10 and commentaries. See also *Seder Olam Rabbah*, ch. 3.

the explanation of the special practices of the season, the reports are neither uniform nor quite clear.

In *b. Yebamoth* 62b it is reported that twelve thousand pairs (twenty-four thousand) of pupils of R. Akiba died of diphtheria during this season; and it is stated that they died because they neglected to show one another due respect. However, in *Midrash Koheleth* R. to 11.6 we find a statement purporting to come from R. Akiba, in which he declares that during the period between Passover and Pentecost he lost *twelve thousand pupils*. In *Bereshith* R. 61.5 the number is given as *twelve thousand* and it is merely stated that they died *in one period of time*, not specifying this particular period. In *Tanḥuma*, *Ḥayye Sara* 6, it is said that the number of pupils was *three hundred* and nothing is said as to when they died.³ A late source reports that this tragic event involved, not the pupils of R. Akiba, but the pupils of Hillel and Shammai, and the number is given as *eighty thousand*.⁴

There is, moreover, in Talmudic-midrashic literature, no reference to any special observance commemorating the sad event so variously reported. All we have are indications that some tragedy befell the students of the Law and it was believed by some to have occurred during the period between Passover and Pentecost.⁵

While R. Sherira Gaon in his Letter merely repeats the earlier rabbinic sources and makes no reference to any special observances practiced during this period, we do find references to special observances for the Sefirah season stemming from the geonic period. These practices the geonim connected with or based upon the sad event reported in the earlier sources. One of these was the avoidance of marriage during this period. Thus R. Natronai Gaon says in a responsum that it is not because of any legal prohibition but merely as an expression of

³ See *b. Ketuboth* 62b-63a where R. Akiba is said to have had 24,000 pupils. See also the report of the incident in *Yalkut Shimoni* 979 (Eccl. 11).

⁴ *Arugat ha-Bosem*, ed. Urbach (Jerusalem, 1939) I, 75. The source of this statement is not mentioned but we may assume it was an earlier Midrash.

⁵ This, in spite of the fact that the geonim say with reference to the observances of the period that they were introduced "from that time."

mourning for the death of the pupils of R. Akiba that betrothal and marriage should not take place in the period between Passover and Pentecost. The same opinion is attributed to R. Hai Gaon and others, with the conclusion, however, that marriages contracted during this period are valid and not punishable as a transgression of the Law.⁶

Another custom also referred to in geonic sources as being observed during this season was abstention from work after sunset. Reference to this is made in a statement ascribed to R. Hai Gaon, and is, likewise, explained as an expression of mourning for the scholars. The reason why one abstained from work after dark is said to be because these scholars all died at sunset and were immediately buried; hence the mourning for them began properly only after sunset, the time of the burial. It seems, however, that R. Hai Gaon was dissatisfied with this explanation, for he also provides another in which this custom is not connected in any way with mourning for the dead scholars, but is based upon some fanciful comparison of the seven weeks of the Sefirah season with the seven years culminating in the *Shmitta* year.⁷ Another custom referred to in later works, but not mentioned in geonic writings is the practice of not cutting the hair during this season.⁸

All these practices observed during the Sefirah season and taken as expressions of mourning were, however, according to some authorities, to be observed only until the thirty-third day of the Omer.⁹

It is apparent that the explanations of the character of the Sefirah season and its customs as advanced by the geonim do not fully explain the matter. Nowhere are these customs char-

⁶ See *Ozar ha-Geonim* "Meseceth Yebamoth" ed. B. Lewin VII, 140-141 (sec. 324, 326, 327).

⁷ *Ibid.*, 328. In *Shibbole ha-Leket* sec. 235 (ed. Buber, p. 218) this practice is limited to women only. On a similar distinction see Lauterbach "The Development of Two Sabbath Ceremonies," *HUCA*, XV, 379-380, note 23.

⁸ *Shulhan Aruch, Oraḥ Ḥayyim*, 493, 2-3, and *Toldoth Adam v'Ḥavah*, (Kopys, 1808) Part IV, sec. 4 (pp. 36b-36c).

⁹ See below Part II for a discussion of this subject.

acterized as laws promulgated by authorities which one might have expected if indeed the practices had been for the purpose of mourning for the pupils of R. Akiba. As a matter of fact it is emphatically stated that these practices are mere custom;¹⁰ furthermore, there is no agreement as to the mourning practices even among the authorities who explain the ominous nature of the season in such terms. Nor were all of these alleged expressions of mourning, according to these authorities, to be practiced by all the people alike. Most important, however, is the fact apparent from medieval writers that, while mourning for the pupils of R. Akiba is given as the usual explanation of these customs, this explanation is not universally accepted but is merely described as the explanation of some people and other interpretations are suggested.¹¹

All this justifies the assumption that there may have been other reasons for ascribing an ominous character to this season besides those given most usually by rabbinic authorities. Accordingly, it seems to me that we are justified in going behind these comparatively late explanations and in seeking to ascertain what, if any, other notions may have been involved in giving to this season its special character. These notions may well have been the real reason for the popular practices, practices which no doubt were older than the rabbinic explanations attached to them.¹²

M. Landsberger, in the only extensive attempt to do just this, advanced the very interesting theory that the practice among the Jews of refraining from marriage during this period is entirely of heathen origin and that it was borrowed from the Romans. He refers to the custom among this latter group of

¹⁰ The authorities specifically state that the practice is not *מחמת איסור* but is *מנהג* or *מחמת אבלות*.

¹¹ See in particular the references in note 7. The *ועוד* appears to be indicative that R. Hai Gaon was doubtful of the first explanation. Likewise the phrase in *Shibbole ha-Leket*, *loc. cit.*, *יש חולין הטעם* indicates the explanation was questionable and R. Jeruham in *Toldoth Adam v'Havah*, *loc. cit.* quite definitely rejects the common explanation for a fanciful biblical derivation.

¹² See the mishnaic reference in note 2. It is clear that since R. Akiba and R. Johanan b. Nuri were contemporaries, the ascription of an ominous character to this season must come from an older tradition.

not marrying in the month of May — which is coincident in large part with the Sefirah season — because this month was considered unlucky. He quotes Ovid to the effect that the entire month is unpropitious for marriage, and following him, holds that fear of the dead lay at the bottom of the Roman practice. He rightly points out that this practice was connected with the celebration of the Lemuria, a festival observed in honor of the dead, and also cites Plutarch who indicates that one of the reasons why this season was closed to marriage among the Romans was because offerings were made to the dead.¹³

Landsberger considers the custom, found only in later sources, of limiting this practice to thirty-two days of the Omer season as a support for his theory that the Jews borrowed this practice from the Romans. The Roman prohibition, so he claims, also lasted thirty-two days; i. e., the thirty-one days of May plus the last day of April, the *pridie calend. Mai*. The Jews, he suggests, after having taken over the Roman practice of observing thirty-two days as a closed season for marriage, forgot the origin of the custom and reinterpreted it as an expression of mourning for the pupils of R. Akiba who, according to legend, died at this time. Since, however, the forbidden period was only thirty-two days long and did not extend from Passover to Pentecost, the "teachers," so Landsberger says, assumed that the destruction of the pupils came to an end on the thirty-second day of the Omer, thus explaining why the practice did not apply to the remainder of the Sefirah season after Lag B'omer.¹⁴

Landsberger, in this suggestive essay, based much of his interpretation on the unpropitious character of May as revealed in Ovid's *Fasti*. But a fuller examination of this work reveals, however, that, in addition to the ominous character of May,

¹³ M. Landsberger, "Der Brauch in den Tagen zwischen dem Pessach und Schabuothfeste sich der Eheschlicung zu enthalten, ist heidnischen Ursprung" *Jüdische Monatschrift für Wissenschaft und Leben*, (Breslau, 1860) VII, 81-96. In addition to the Roman practice, Landsberger briefly traces the existence of a similar prejudice against May marriage in France and Scotland. Additional material on this subject is to be found in E. J. Wood, *The Wedding Day*, (London, 1869) II, 163-164.

¹⁴ *Ibid.*, pp. 89, 94-95.

the first half of the month of June was also considered unlucky for marriages:

Est mihi (sitque precor, nostris diuturnior annis)
 filia, qua felix sospite semper ero.
 hanc ego cum vellem genero dare, tempere taedis
 apta requirebam, quaeque cavenda ferent;
 tum mihi post sacras monstratur Iunius Idus
 utilis et nuptis, utilis esse viris,
 primaque pars huius thalamis aliena reperta est;

Commenting on these lines Frazer says: "Why it was deemed so, we cannot tell, but it is to be observed, as the whole of May was in like manner banned, the period of more than six weeks, from May first to June fifteenth was apparently observed as a closed time, so to say, for the contraction of marriage."¹⁵

What the exact nature of this May-June period was is still open for discussion among classical scholars. Frazer believes as does Landsberger that Plutarch's explanation that it was due to the fear of the dead is the correct one. On the other hand, Warde Fowler suggests that May was considered unpropitious, for "In the main it was a time of somewhat anxious expectation and preparation for the harvest to follow." If he is correct and the idea underlying the ominous character of May was anxiety for the harvest, this too is applicable to the first half of June which, likewise, was part of the pre-harvest season. Thus, contrary to Landsberger, a period of over six weeks — not of thirty-two days — was observed among the Romans as a season closed to marriage. Furthermore, the reason for this practice may have not been merely fear of ghosts, but was somehow connected with anxiety for the harvest.¹⁶

Though we may thus have reason to reject Landsberger's suggestion of borrowing, nonetheless we are indebted to him for indicating a fruitful avenue of investigation. For an examination of the underlying motives which prompted the Romans to

¹⁵ Publii Ovidii Nasonis *Fastorum Libri Sex*, ed. Sir James George Frazer (London, 1928) VI, 219-225.

¹⁶ *Ibid.*, I, 274-281, and IV, 40, 53; Warde Fowler, *The Roman Festivals of the Period of the Republic*, (London, 1899) 100 and 153-154.

ban marriage during this period as well as those behind the other practices peculiar to this season may shed light on the motives of similar practices among the Jews.

In the first place, as we have just seen, the practice of not marrying is explained as being motivated either by fear of the prowling ghosts of the dead or by the natural anxiety over the crops — which anxiety might well give the period a certain unpropitious or dangerous character.

Further there was still another custom among the Romans that is fairly reminiscent of the Jewish practice, mentioned in later sources, of not cutting the hair during this period. We learn from Plutarch that on the fifteenth of May, the so-called "greatest purification," the Flaminia Dialis appeared in mourning and did not cut her hair or nails and refrained from sexual relations with her husband. Likewise, between the first and fifteenth of June, she was not permitted to cut or comb her hair or cut her nails.¹⁷

The reason or reasons for these latter practices are exceedingly obscure. Frazer explains them in terms of certain taboos. But there are however other explanations that have some cogency and may illuminate the whole problem. It is a well-known belief shared by many peoples that parts of the body, such as fragments of hair or nails, may be used by unfriendly powers in the performance of magical rites in order to harm the person from whom the fragments came. That such a belief was current among the ancient Romans is attested to by many sources. Thus it may be that one of the reasons why the Flaminia Dialis did not cut her hair or nails on the fourteenth of May was from fear of falling into the power of the ghosts who were presumed to be wandering about at that time.¹⁸

Another belief, not so well known, however, may also help us interpret the practice of the Flaminia Dialis of not cutting

¹⁷ *The Roman Question of Plutarch*, edited and translated by H. J. Rose, (Oxford, 1924) 157. See also Warde Fowler, *op. cit.*, 112, 115, 145-146; and Ovid *op. cit.*, I, 314-315, IV, 75, 79, 166-168.

¹⁸ See in particular *Notes on Antique Folklore on the Basis of Pliny's Natural History Lib. XXXVII 22-29*, by X. F. M. G. Wolters (Amsterdam, 1935) 112 *et seq.*, also Frazer's Commentary to Ovid IV, 167.

her hair between the first and the fifteenth of June. It has been pointed out that there was a further belief among the Romans connected with that just mentioned; namely, that the cutting or combing of hair caused storms. This belief was and is widespread among many peoples in diverse places. Thus the Flaminia Dialis may have abstained from cutting her hair during the early part of June when the crop was in its critical stage so as not to provoke the weather spirits and cause rainfall that would bring about the destruction of the crops either through its own action or through the action of mildew.¹⁹

That the motivation of both practices, not marrying and not cutting the hair and nails (by the priestess) were much the same — 1. The fear of the dead; 2. The preparation for the harvest and concomitant fear for the crop — is at once apparent. And while the evidence is meager, it may be inferred that rather than these two motives being unconnected, they derived basically from a common undifferentiated dread.

With this in mind, it is of no little interest to recognize in Jewish sources the same motivations that inspired the Roman practices. As we have seen above, the most general interpretation of the period was that it was a time of mourning, but in addition other motives were hinted at.²⁰ Some authorities offered as the explanation of the ominous nature of the season not mourning for, but fear of the dead and others, fear for the crops. The first is explicitly based on the view of Rabbi Johanan b. Nuri, which clearly suggests a connection between the wicked dead and the restrictive nature of the period. The second has a purely literary derivation from Biblical verses that sheds no light on the matter.²¹

¹⁹ See Wolters, *loc. cit.*; also Frazer, *The Golden Bough*, *Tuboo* 265–266, 271. Fear of rainfall and its attendant mildew at this period is exemplified in the prayer to *Robigo* (mildew) recited in Rome on the 25th of April; Ovid, *op. cit.*, I, 242–243.

²⁰ But see *Hemdath Yamim* (s. l., 1763) III, 42, where the explanation that the practices are signs of mourning for the pupils of R. Akiba is rejected on the grounds that it is unthinkable that they should have been instituted for those who died, because they did not honor one another.

²¹ In the first instance see *Shibbole ha-Leket* sec. 235 (ed. Buber 109b). Comp. also *Hemdath Yamim* III 41a

For the second see *Toldoth Adam v'Havah*, Part IV, sec. 4 (36b–36c).

However, there are a number of passages in talmudic and midrashic literature which do illuminate just this phase of our problem. In the first place, Passover which is the beginning of the period, is designated as one of the seasons of divine judgment, particularly judgment in respect to produce. Thus, the offering of the Omer is made so that "your produce in the fields may be blessed." What is involved in an unfavorable judgment is made clear in the explicit statement that rainfall after Nisan is the sign of a curse; and also by the discussion about the manner in which the Omer is to be waved in order to avert both harsh winds and heavy dew.²² Hence, it is not at all far-fetched to suggest that part at least of the shadowy character of the season derived from a sense of anxiety lest the crops be smitten.

The very practices mentioned above support such suggestions. Both the usual explanation which tells of the death of R. Akiba's pupils and that which refers to the wicked dead indicate a fear of death or the dead during the period. Thus the practice of refraining from cutting the hair could well have been motivated by this fear since Jewish folklore is not lacking in those elements dealing with the detrimental use to which hair and nails could be put by unfriendly persons—in this instance, the wicked dead.²³ The same fear may well have played

Comp. also Joshua ibn Shu'aib, *Derashoth al ha-Torah*, (Constantinople, 1524) 27c top. R. Jacob Reischer in his commentary, *Hog Yaakov to Sh. Ar. Orak Hayyim* 493.1, combines both correctly, interpreting R. Jeruham's explanation to mean that the period is one of danger to the crops שהם ימי דין של התבואה; see below.

²² *M. Rosh Ha-Shanah* 1.2. See also the Gemara 16a where the whole question of judgment of the crops is discussed.

In *Pesikta Rabbati* XVII (Friedman, 92a) and *Pesikta d'Rab Kahana* VIII (Buber, 70a) the discussion concerns the waving of the Omer as a means of averting disaster during the barley harvest. *b. Sukkah* 37b and *b. Men.* 62a discuss the waving of the two loaves and two lambs of Shabuoth to restrain harmful winds and dew during the fruit gathering. The need for each of these actions arises out of the fact that each occasion is a day of judgment.

As to the nature of an unfavorable judgment, the reading in the Talmud, *b. Taanith* 18a and *p. Taanith* 1.8 יצא ניסן וירדו גשמים סימן קללה is to be preferred to that of the Mishna 1.7, since the proof verse I Sam. 12.17 deals with the damage caused by rainfall rather than the contrary.

²³ See J. E., s. v., "Hair Superstitions," VI, 158b; that a belief was current

a role in the practice of refraining from marriage. As Frazer pointed out, the antithesis between death and marriage is a very natural one and may well have served as a motive for the practice.²⁴

As is true in the case of the Roman belief, the connection between the practice of not marrying and danger to the crops is not clear except insofar as the sense of the ominous nature of the season might easily be carried over into every phase of living. However, the practice of not cutting the hair can be connected more specifically with the danger to the crops. While there is no conclusive evidence that the belief prevailed among the Jews that cutting the hair would cause rain and storms, there is a hint in the Mishnah that such may have been the belief. In *M. Katan* 3.1 we learn that among those who may cut their hair during a festival are persons who have returned from a sea journey. It may be that among the Jews one refrained from cutting his hair while on a sea voyage for the same reason as is indicated in Roman sources — fear of arousing the weather spirits. This belief may have been widespread in an agricultural community such as ancient Palestine was, and since, as we have already seen, the major danger to crops was rainfall, the practice of not cutting the hair during this season may have arisen as a kind of protective magic.

These parallels, both in practice and motivation, do not necessarily, contrary to Landsberger, imply a borrowing from the Romans by the Jews. Anthropologists who study borrowings in primitive religion point out that motive does not necessarily or even generally follow practice in the transaction, the borrower generally providing his own explanations for the practices. This, of course, may be taken as support for Landsberger's explanation that Jewish teachers gave a new interpretation to the borrowed practice, namely, the death of R. Akiba's pupils. But, as has been shown above, there are fragments of older motives imbedded in the literary remains which lead us to sus-

among Jews that cut hair could be used magically seems to be implicit in the practice of pious Jews of hiding away hair cut from their head or plucked from their beards.

²⁴ See above, note 16 and text.

pect that the process was not as simple as Landsberger imagined; but that the Jewish development was independent of, though perhaps influenced at a later date by, the Roman customs.²⁵

It is, therefore, not unwarranted to conclude that Landsberger's theory of borrowing must be rejected. Likewise, on the basis of the evidence offered above, it is quite justifiable to assume that the practices connected with the Sefirah period had their origin in earlier beliefs held by some parts of the Jewish community concerning the presence of spirits of the dead during this season as well as certain dangers to the harvest that might arise by magical means.^{25a}

In this connection, it is necessary to return for a moment to one practice mentioned above, but ignored in the discussion. The history and destiny of any particular practice or custom is never predictable. As we have seen, the practice of not cutting the hair during the Sefirah period is not mentioned in any work that records the customs of geonic time, yet it became widespread. On the other hand, the practice of refraining from work after dark during this season which is noted as a custom dating from the time of the geonim seems to have lost hold. Although it had the sanction of the Shulḥan Aruch at a later date, it apparently never assumed an important place among the customs observed during the Sefirah. What its origin was and why one authority limited its practice to women are questions the answers to which cannot be hazarded on the basis of the limited evidence we possess. That there is some connection with the motives suggested above is not an unwarranted assumption in the face

²⁵ Dr. Isaiah Sonne has suggested in a communication that we cannot entirely disregard Landsberger's theory. He pointed out that there is a discernible difference between Palestinian and Babylonian sources. The Babylonian Geonim and the Spanish authorities who followed them "do not allude to the ominous nature of the Sefirah Season" while the Italian authors who are dependent mainly on Palestinian sources "do hint at it." On this basis he suggested that the Palestinian community, as part of the Roman Empire, might have been more affected by Roman superstition than the Babylonian community.

^{25a} See the article in *HERE* VIII, 501a-503b. s. v. "May, Midsummer," where the question of taboos during critical periods of agricultural life is discussed.

of the explanations given for it; but exactly how these motives came to express themselves in this special manner cannot be ascertained. At any rate, it does not constitute a threat to the theory proposed above concerning the origin and nature of the season.

II

There is one further problem connected with the period that requires examination, namely, what is the origin of and real motive for the observance of the thirty-third day of the Omer season as a quasi-festive occasion, the so-called Lag B'omer.

An examination of the literary sources reveals that there was a tradition supposedly received by the geonim that the period during which R. Akiba's pupils died extended from Passover until the thirty-third day of the Omer and not until Pentecost. Hence, it was on this thirty-third day that the restriction against marriage was lifted. Ibn Yarḥi points out that such was the practice in France and Provence and indicates that there was justification for it according to a statement found in an unidentified old Spanish manuscript by R. Zerachiah ha-Levi Gerondi. A variant of this practice noted in a number of sources permits the raising of the restrictions on the thirty-third day only and reimposes it for the remainder of the period.²⁶

The simplest explanation, then, is that the thirty-third day of the Omer was the end of the period during which the pupils of R. Akiba died. However, in the light of the demonstration made above that this is not a satisfactory explanation of the nature of the entire period, it, too, must be discarded. Yet, even were we to ignore the difficulties arising from our previous

²⁶ "Beth ha-Behirah" quoted in *Ozar ha-Geonim* VII, (sec. 325); *Shibbole ha-Leket* sec. 235 (ed. Buber, p. 218) on the other hand indicates that the 33rd of the Omer is the day on which the restriction against cutting the hair is lifted; "Ha-Manhig" quoted in *Ozar ha-Geonim*, VII, 141 (Sec. 327); see also below note 27; "Minhag Tob" (ed. Weiss), *Ha-Zofeh* (Budapest 1929) XIII, 218-231; *Leket Yosher* (Berlin, 1903) 97; See also *Sefer Maharil* (Warsaw, 1874) 21b where in addition the practice of some of imposing the restrictions only after Rosh Hodesh Iyyar is noted.

findings, we should still be forced to question any connection between the presumed end of the period during which R. Akiba's pupils died and the Lag B'omer festive day. Ibn Shu'aib, in the 14th Century, questioned the reasoning behind the observance of the thirty-third day of the Omer as the day on which the plague came to an end. What is really meant by the phrase *Lag B'omer*, he suggests, is not a day observed by the cessation of restrictions, but rather the thirty-three days on which it was permissible to mourn for the pupils of R. Akiba. What he does is to exclude from the forty-nine days of the Omer the seven days of Passover which fall within that period, the seven Sabbaths and the two occurrences of Rosh Hodesh or sixteen days in all on which it is not allowed to mourn publicly. thus leaving thirty-three days for mourning. Further to support his argument, he points out that the phrase **פרס עצרת** used to designate the terminal day of the destruction must mean, in accordance with its usage in the Mishnah, fifteen days before the festival of Shabuoth, which is not the thirty-third day of the Omer, but the thirty-fourth. Thus, the restrictions could be removed only on this day and then only on the basis of the principle **מקצה היום ככולו**. This leaves the thirty-third day of the Omer without any significance as far as the removal of restrictions is concerned.²⁷

It is apparent from this that the various attempts to connect the festive day Lag B'omer with the terminal day of the destruc-

²⁷ *Sefer Derashoth al ha-Torah*, (Constantinople, 1523) 27c top. There is, of course, an error in his first calculation, for one of the seven Sabbaths falls within the seven days of Passover. Since, however, there are three days of Rosh Hodesh and he only counts two, the end result is the same. See also Beth Joseph to *Tur Oraḥ Hayyim*, 493, **ומיש יש מסתפרין מלגיו וכו'** where Caro also rejects any special character for the 33rd of the Omer. Maharil, *loc. cit.*, bases a similar calculation on a tradition not mentioned elsewhere, that the pupils died only on the days when "Supplications" were said. He, too, counts the Sabbath during Passover twice and includes three days of Rosh Hodesh, a total of 17 days. Then, completely ignoring what he has just said, he explains Lag B'omer as the festive day observed after the completion of 32 unlucky days ($49 \text{ minus } 17 = 32$), treating them as though they were consecutive and began with the first day of the Omer season. Ha-Manhig, *loc. cit.*, interprets **פרס עצרת** to mean fifteen days before Pentecost and then with a supreme disregard for arithmetic says **וזהו ל"ג בעומר**.

tion of R. Akiba's pupils are unsuccessful. This is underscored by the practice of some authorities, as noted above, who observed the day not as the end of the period, but merely as a pause in the mourning season. One thirteenth century authority completely ignored any connection between Lag B'omer and the death of R. Akiba's pupils and suggested that the restrictive nature of the whole period was as a sign of mourning for "the martyrs" and the exemption of Lag B'omer was due to the miracle that occurred on that day.²⁸

When we add these difficulties to those mentioned in the first part of this study, we recognize that it is not possible, on the basis of the evidence, to explain the festive observance of the thirty-third of the Omer on the grounds that it marked the cessation of a period during which R. Akiba's pupils died.

There is another aspect of this day which, though not mentioned in legalistic writings, has been connected by some, without any justification, to the previous explanation. In Meron in Palestine this day is observed as the *Jahrzeit* of R. Simeon b. Yoḥai. The earliest reference to this observance is to be found in the report that R. Isaac Luria, his wife and family had, for a number of years, spent the three days around Lag B'omer at Meron where the tomb of R. Simeon b. Yoḥai is located. It is evident, however, that the custom of visiting the tomb at this season dates from an earlier time. Luria's participation is noted in order to give it the sanction of this important teacher in mystical circles. That such approval was deemed necessary indicates that there was some opposition to the observance of this day as a festive occasion; and, indeed, in the *Shulḥan Aruch* of R. Isaac Luria, there is the story of the man

²⁸ Maharil, *loc. cit.*, did not permit his pupils to trim their beards between Passover and Lag B'omer. He, however, apparently did not trim his beard until just before the festival of Shabuoth. *Minhag Tob*, *loc. cit.*, uses the phrase 'לכבוד החסידים החתמים והישרים שמסרו עצמן על קדושת ה' which term is frequently applied to the victims of the crusaders, to explain the nature of the season and נס to explain the temporary lifting of restrictions on the 33rd of the Omer. For a similar interpretation of the season and day see also נהורא השלם in *Siddur Beth ha-Tefillah* (Wilna, 1900) 512. See also *Die Judenverfolgungen in Speyer, Worms und Mainz im Jahre 1096*, ed. Mannheimer (Berlin, 1878).

who inserted נחם into Birkat ha-Mazon on this day as a protest against the celebration.²⁹

That there is more to this practice than is at first apparent, is evident from the fact that in other Palestinian localities, pilgrimages are made to the graves of notables; for example, in Jerusalem, the graves of Simeon the Just, the members of the Sanhedrin and Kalba Sabua are the objects of such visits.³⁰ Yet, the evidence does not permit any positive statement concerning the reason for these visits on just this day, nor their connection with its festive observance. Before, however, venturing a possible explanation, it might be well to review the suggestion made by modern authors for the light they may shed on the matter.

Landsberger's theory has already been dealt with in the

²⁹ A. M. Luncz, *Jerusalem I*, 49-52; S. Goldfarb, אחיאסף (1903) 381-403; *Shulḥan Aruch of R. Isaac Luria* (Wilna, 1881) 72. See also the incident related in ערות ביהוסף (Jerusalem, 1933) 37-38, where the only son of a man who interrupted the celebration at Meron died. In the Zohar, end of Idra Zutra (Lublin, 1872, p. 592) R. Simeon b. Yoḥai's death is called הילולא דרשב"י and in the two stories referred to R. Simeon b. Yoḥai appears in a dream and speaks of the day as יום שמחתי.

³⁰ Luncz, *loc. cit.*; see also J. E. Hanauer, *Folklore of the Holyland* (1907) 62-67. Around this season the graves of many notables are visited. On Pesah Sheni the tomb of R. Meir Baal ha-Nes at Tiberias and on the same day at Safed those of R. Judah b. Ilai, R. Kospadai, R. Joseph Sargis. The possibility is strong that the festival at Meron was not originally connected with the Jahrzeit of R. Simeon b. Yoḥai, since this explanation is not found earlier than Luria, but had other motives suggested below for which the R. Simeon b. Yoḥai motive served as a cover. In the recently published *Roads to Zion*, ed. Kurt Wilhelm, (N. Y., 1948) there is printed a letter of Solomon Shloemel ben Hayyim Meinsterl written in 1607. The writer, a disciple of Luria, one generation removed, describes the attitude of the Gentiles, by whom I suppose he means the Arab peasants, to the tombs and synagogues in the vicinity of Safed. He, likewise, mentions that there are ruined synagogues in En Zetim and Meron, but that no Jews live in those towns. The synagogues were kept up by the Gentiles who cleaned them and burnt candles before the arks containing Torah Scrolls. R. Joseph Sofer's report referred to above is also printed in part and he tells of Moslems and Christians in Meron running to the tomb of R. Simeon during an earthquake and calling upon him to intercede. This leads me to suspect that the place was an ancient sacred spot appropriated at a comparatively late time by R. Simeon b. Yoḥai whose character the local guardian spirit then assumed.

previous part of this study. J. Derenbourg suggests that Lag B'omer may be viewed as a day of relaxation from mourning in the middle of the Sefirah season, comparable to the *mi-careme* of Lent. J. Morgenstern pointed out that the thirty-third day of the Omer season is approximately its middle day, as counted by those groups who began the Sefirah on the day after the last day of Passover, and might be a sort of rest day in the middle of the harvest. H. Grimme offers the theory that Lag B'omer is reminiscent of an ancient celebration in honor of the victory of Marduk over the seven evil gods, an event which was observed after a thirty-two day mourning period. Dalman observes in this connection that Lag B'omer may have originally been the celebration of the actual beginning of the summer, which was marked by the early rising of the Pleiades between the 13th and the 25th of May.³¹

There is no support for any of these theories in Jewish literary sources, but nonetheless they are suggestive of what seems to be the background of the observance of this day — one that fits in with the nature of the whole Sefirah period as explained in the first part of this study. The agricultural motif is strongly indicated here and it may well be that this day was set aside in the midst of the harvest season as a day of relaxation and preparation for the final and perhaps crucial period which brought it to an end. It may well be that, as was suggested, the day of the early rising of the Pleiades, marking the true beginning of summer, might have been set aside for just this purpose. It is noteworthy that like the festival of Shabuoth itself, Lag B'omer does not have a fixed date, but is determined in relationship to the Passover festival.³² Thus, it could have, in a period before the present calendar was established, easily coincided with the variable appearance of these stars. There is, of course, no con-

³¹ See above pages 225, 226; Derenbourg, *REJ*, 29 (1894) 149; Dr. Morgenstern's proposal was made in a conversation; H. Grimme, *Das israelitische Pfingstfeste und der Plejadenkult*, (Paderborn, 1907); Dalman, *Arbeit und Sitte in Palestina*, I.2, 294 and 460-461. See also *HERE* VIII, 501a-503b, s. v., "May, Midsummer."

³² Lev. 23.15-16 indicates that the day of the חג הבכורים is determined by counting seven weeks or 50 days beginning with the day after a specified day.

clusive evidence in this regard, but such an origin does fall in with the preoccupation with agriculture that marks the season. The visits to the graves of notables on this day likewise seem to be connected in some way with the ideas about the dead suggested in part I of this study. Perhaps the thought underlying this activity was that protection against the evil spirits during the relaxation of restrictions on this day, might be obtained at the tombs of pious persons. Somewhat confirmatory of this suggestion is the practice, mentioned in connection with Luria's visit to Meron, of cutting the hair of children for the first time at the tomb of R. Simeon B. Yoḥai, on the occasion of the Lag B'omer festivities. Here, too, we catch a glimpse of the idea previously suggested, that cutting the hair during the season might deliver the owner of the hair into the hands of evil spirits. If, however, the cutting took place in an enclosure, under the protection of a benevolent shade, then the danger was obviated.³³

These suggestions are, of course, in the absence of any positive evidence, only tentative. Yet, they seem to reflect the pattern of ideas discernable beneath the surface of the laws, legends and customs that cluster around this season. But they, too, may, like the current explanations, be no more than good reasons acting as surrogates for the real reasons, lost now in the well of history.

³³ Luria, *loc. cit.*, For a parallel idea among the Romans see above note 18 with reference to the cut hair of the Flamen Dialis.

To Professor S. A. Cook of Cambridge

תורה ללמדא זו היא תורה של חסד

RABBINIC METHODS OF INTERPRETATION AND HELLENISTIC RHETORIC¹

DAVID DAUBE, Cambridge, England

THE way in which the Rabbis built up the colossal system of Talmudic law by means of an exegesis of the relatively few provisions contained in the Bible is still a mystery. To outsiders, the whole development appears arbitrary, a mass of sophistic and involved deductions governed by no coherent first principles and serving no valid communal needs. Orthodox Jews affirm that the methods used by the Rabbis and the results reached by them are of Sinaitic origin: God revealed them all to Moses during the forty days Moses stayed with him, and Moses, though not writing them down, transmitted them to Joshua, Joshua to the elders and so on. This dogma goes back to the Talmud itself and, as we shall see, it made good sense in that period; but, as proposed today, it amounts to an admission that the evolution cannot be justified on rational grounds. Some liberal Jewish scholars, on the other hand, have tried to shew that the Rabbis were guided by pure logic.² But that is hardly more convincing. No real attempt, however, has so far been made to understand the growth of Talmudic law against its historical background, and to investigate the relationship with other Hellenistic systems of law, such as the Greek ones or the Roman. The reasons for this failure are not far to seek. Apart from the usual difficulties where several fields of study are concerned, the modern expo-

¹ One of four lectures on Talmudic law delivered at the London School of Oriental and African Studies in the Winter 1948-9.

² Adolf Schwarz's works are the outstanding example of this sort.

nents of Greek and Roman law are often quite unaware of some of the mainsprings of their systems, namely, the conventions among the ancient jurists as to types of arguments admissible or inadmissible, the relative weight of arguments and the like. But it is precisely in this province of 'legal science' that may be found the really important points of contact between the Talmud and other Hellenistic creations.

The thesis here to be submitted is that the Rabbinic methods of interpretation derive from Hellenistic rhetoric.³ Hellenistic rhetoric is at the bottom both of the fundamental ideas, pre-suppositions, from which the Rabbis proceeded and of the major details of application, the manner in which these ideas were translated into practice. This is not to detract from the value of the work of the Rabbis. On the contrary, it is important to note that, when the Hellenistic methods were first adopted, about 100 to 25 B. C., the 'classical,' Tannaitic era of Rabbinic law was just opening. That is to say, the borrowing took place in the best period of Talmudic jurisprudence, when the Rabbis were masters, not slaves, of the new influences. The methods taken over were thoroughly hebraized in spirit as well as form, adapted to the native material, worked out so as to assist the natural progress of Jewish law. It is the kind of thing which, *mutatis mutandis*, happened at Rome in the same epoch. Later on, from A. D. 200, in 'post-classical,' Amoraic law, the development was in several respects more autonomous, less open to foreign inspiration, yet at the same time there was a distinct lack of vitality and originality, the most prominent tendency now being ever greater specialisation. However, in its beginnings, the Rabbinic system of hermeneutics is a product of the Hellenistic civilisation then dominating the entire Mediterranean world.

Let us begin by recalling a few matters concerning date and geography. It is to Hillel, the great Pharisee who flourished about 30 B. C., that we owe the oldest rules in accordance with which Scripture is to be *nidhrasheth*, 'interpreted.' He himself says that he learned them from his teachers Shemaiah and

³ See some provisional observations by the present writer in *Law Quarterly Review* 1936, 265 f., *Journal of Roman Studies* 1948, 115 ff., *Cambridge Law Journal* 1949, 215.

Abtalion;⁴ and, indeed, they are the first Rabbis to be called *darshanim*, 'interpreters of Scripture.'⁵ The Talmud represents them as proselytes. The historicity of this feature has been doubted; but it is agreed that, if they were not natives of Alexandria, they studied and taught there long enough to go on using Egyptian measures even after settling in Palestine.⁶ So there is a *prima facie* case for a direct connection between Hillel's seven norms of interpretation and Alexandria, a centre of Hellenistic scholarship.

The historical situation in which Hillel found himself may next be considered. For centuries before him, Scripture had been subjected to the most scrupulous philological analysis, each word and sentence being inspected with a view to establishing its exact sense and grammatical status.⁷ But treated in this conservative manner, the Bible yielded comparatively little law; and it is not surprising that a large body of law, religious and secular, grew up in addition to that contained in Scripture. This non-Scriptural law consisted of various elements. Some of it indeed

⁴ Palestinian Pes. 33a, Babylonian Pes. 66a.

⁵ Bab. Pes. 70b, a passage all the more reliable as it is a Sadducee who describes them as such, and probably in a sneering tone: 'It is curious that these wonderful interpreters of Scripture did not realize . . .'

⁶ Graetz, *Geschichte der Juden*, 5th ed. by Brann, vol. 3, pt. 2, 711 ff.

⁷ Bab. Kid. 30a says that *sopher*, 'scribe,' originally meant 'one who counts:' the ancient scribes counted all the letters in the Bible. Whatever the original meaning of the word, there is no reason to doubt the information concerning the activity of the early scholars. We can go further. Most, if not all, of the early *gezeroth shawoth* (inferences from analogy, in accordance with the second of Hillel's norms of interpretation) are based on expressions which occur only in the two passages concerned and nowhere else in the Bible (Schwarz, *Die Hermeneutische Analogie*, 61 ff.). Thus the Mekhilta tells us that from the use of '*asher lo' 'orasa* in Ex. 22.15 (16) and Deut. 22.28 it follows that the penalty is 50 shekels for seduction (Exodus) just as for rape (Deuteronomy). The phrase '*asher lo' 'orasa* occurs only in these two verses. It is safe to conclude that there existed, before Hillel, collections of ἀπαξ λεγόμενα, δις λεγόμενα etc. The norm of *gezera shawa* would have been impracticable without them. How far even this old, narrowly grammatical and lexicographical analysis and statistics may have been influenced by Greek ideas we need not here decide. In Rome, Varro, about 100 B. C., wrote monographs about synonyms, about the formation of words, about rare words in Plautus. He followed Greek models.

was still almost Scriptural: the meaning of an obscure verse would be fixed, a very inconvenient precept would be credited with a somewhat more desirable meaning, the claims of flagrantly inconsistent ordinances would be settled. But a great part was avowedly novel, extensions of Biblical provisions designed to deal with fresh cases or also, in the words ascribed to the men of the Great Synagogue, 'to make a fence around the Torah.'⁸ In either case, what was the ground of recognition of this vast body of non-Scriptural law? It was the authority of the people promulgating it. The correctness of a decision was guaranteed by the character and learning of him who delivered it. Significantly, the *dibhere sopherim*, the 'sayings of the ancient scribes,' are never supported by any arguments. The wise man simply knows the true import of a Biblical commandment or the proper supplement to add.

The non-Scriptural law was aptly termed 'the tradition received from, or handed down by, the fathers,' *πατέρων διαδοχή* or *παράδοσις τῶν πατέρων*, *qabbalath ha'abhoth*, *masoreth ha'abhoth*.⁹ From Akiba's statement, about A. D. 120, that 'tradition is a fence around the Torah,' we may gather that the extensions for the purpose of ensuring strictest observance of the Biblical law were regarded as the chief component of the non-Biblical;¹⁰ and it may be remarked, in passing, that this adage is surely

⁸ Mishnah Ab. 1.11.

⁹ Josephus, Ant. 13.10.6, Targum on Job 15.18. A synonym is *παράδοσις τῶν πρεσβυτέρων*, occurring in Matthew 15.2, Mark 7.3, 5; it would correspond to *masoreth hazzeqenim* (cp. *dibhere hazzeqenim*, e. g. in Pal. Berakhoth 3b).

¹⁰ Mishnah Ab. 3.14. Certainly, for Akiba, *masoreth* had come to signify, more specifically, 'the tradition concerning the exact state of the sacred text' (see Bacher, *Älteste Terminologie*, 108, *Tradition und Tradenten*, 3). But for one thing, it must not be forgotten that this particular branch was of such importance for him precisely because — in opposition to Ishmael — he used technicalities like the presence or absence of the optional accusative sign for deriving fresh law; hence 'the tradition concerning the state of the text' so to speak swallowed up the tradition of the fathers in general, it more or less represented the entire oral Law. For another thing, the adage 'tradition is a fence around the Torah' is doubtless older than Akiba, dating from a time when *masoreth* had its original, wider sense. The point of Abhoth 3.14 is the putting together of this maxim with 'tithes are a fence around riches' etc.

indebted — however indirectly — to Plato's praise of 'ancestral customs which, if well established, form a cover around the written laws for their full protection.'¹¹ The trouble was that important groups refused to consider the tradition binding, above all, the Sadducees (but also the Samaritans). For them, the text of the Bible was of God, but nothing beyond it. The Pharisaic 'fence' they rejected and even ridiculed. When the Pharisees insisted on purification of the golden candlestick in the Temple in case it had contracted some uncleanness, the Sadducees commented: 'Look how they purify the light of the moon!'¹²

Josephus has an interesting remark: the Sadducees, he says, hold it a virtue to dispute against their own teachers.¹³ Evidently, they had taken over from the Hellenistic schools of philosophy the ideal of working out any problem by unfettered argument and counter-argument. Their encounter with Jesus in the New Testament provides support: they attempt to reduce to absurdity the belief in a resurrection of the body, and the point they make might well figure in a philosophical dialogue of the time.¹⁴ It is worth noting that very similar arguments — also in the form of 'teasers' — are attributed by the Talmud to the citizens of Alexandria¹⁵ and (which comes to the same thing) to Queen Cleopatra.¹⁶

¹¹ Laws 7.793B (πάτρια νόμιμα ἃ καλῶς ἐθισθέντα πάση σωτηρίᾳ περικαλύψαντα ἔχει τοὺς τότε γραφέντας νόμους).

¹² Tosephtha Hag. 3.35, Pal. Hag. 79d. The Samaritans, as they disallowed any 'interpretation,' and yet found it impossible to go on sticking to the text in its literal form, were driven to the only alternative — emendation; see the present writer's discussion in *Zeitschrift für die Alttestamentliche Wissenschaft* 1932, 152. The Rabbis saw through this: cp. e.g. Bab. Sota 33b.

¹³ Ant. 18.1.4.

¹⁴ Matthew 22.23 ff., Mark 12.18 ff., Luke 20.27 ff.

¹⁵ Bab. Nid. 69b ff.: Does Lot's wife, a pillar of salt, convey uncleanness? (Strictly, she is a corpse.) Does the child raised from the dead by Elisha convey uncleanness? When the dead are raised, will they need sprinkling on the third and seventh days, having been in contact with a corpse? The Talmud terms these scoffing questions *dibhere boruth*, 'sayings of a vulgar nature.'

¹⁶ Bab. Sanh. 90b. The Queen admits that the dead will rise but wonders whether they will be naked or dressed? Bacher, *Agada der Tannaiten*, vol. 2, 68 (followed by Strack and Billerbeck, *Kommentar zum Neuen Testament*,

There were, then, these diametrically opposed views: the Pharisaic, according to which the authority of the fathers must be unconditionally accepted, and the Sadducean, according to which the text alone was binding, while any question not answered by it might be approached quite freely, in a philosophical fashion. In this situation, Hillel¹⁷ declared that Scripture itself included the tradition of the fathers; and that it did so — here he took a leaf out of the other party's book — precisely if read

vol. I, 897), thinks that 'Cleopatra' must be emended because she was not contemporary with Meir, A. D. 150, to whom she is represented as talking. But Talmudic legend was never afraid of anachronisms, and whoever wanted to indicate that Meir's opponents were Alexandrians, i. e. addicts to Greek philosophy, might find Cleopatra particularly suitable in view of the rather improper flavour of the question. A most unsavoury story is told about her in Bab. Nid. 30b.

¹⁷ The Talmud is fully aware of the decisive role played by him; he is compared to Ezra in Bab. Suk. 20a, Sota 48b. The four legends in Bab. Shab. 30b f. are designed to illustrate (*inter alia*) four cardinal teachings of his: (1) every question deserves a well-reasoned answer, (2) tradition must inevitably command some authority, (3) by applying the norms of interpretation, the entire Law might be inferred from a single, ethical principle, and (4) the tradition of the fathers contains nothing but what follows from Scripture on proper exegesis. Ad (1): Somebody asks Hillel questions like 'Why have the Babylonians such round heads?', to which he replies 'A weighty question — because they have no skilful midwives.' Ad (2): A gentile undertakes to become a convert if he need submit only to the written Law. The severe Shammai rejects him, Hillel accepts him. The first day, he teaches him the Hebrew alphabet; the second, he reverses the order of the letters. The proselyte protests, whereupon Hillel tells him that if he trusts him as to the alphabet, he might do so as to the oral Torah. Ad (3): A gentile undertakes to become a convert if he can be taught the entire Torah while standing on one foot. Shammai rejects him, Hillel accepts him. He teaches him 'What is hateful to you, do not to your fellowman.' all the rest, he says, is interpretation. Ad (4): A gentile undertakes to become a convert if he will be made High Priest. Shammai rejects him, Hillel accepts him. In the course of his instruction, Num. 1.51 is reached: 'And the stranger that cometh nigh shall be put to death.' Hillel explains that even King David is a 'stranger' for this purpose, whereupon his pupil, by a *qal wahomer*, an inference *a minori ad maius*, deduces the utter unfitness of a proselyte. He then returns to Shammai to ask him why he dogmatized instead of drawing his attention to Num. 1.51: once he (the convert) knew that verse, and the method of *qal wahomer*, he himself (the convert) agreed with the traditional attitude, he himself shuddered at his original request.

as, on the most up-to-date teaching of the philosophical schools, a code of laws ought to be read. There existed, he claimed, a series of rational norms of exegesis making possible a sober clarification and extension of legal provisions. If they were applied to Scripture, the opinions expressed by the fathers would be vindicated, would turn out to be logical, not arbitrary; and in fact, he contended, some measure of traditional, Rabbinic authority would always remain indispensable — not everybody was in a position to judge the merits of a doctrine approved by the experts.¹⁸ While this part of his program was addressed to the Sadducees, he pointed out to his own group that his hermeneutics, if they vindicated the tradition of the fathers, must themselves enjoy a degree of sanctity and be put to further use: the tradition of the fathers (he urged) had evidently been evolved along these lines all the time. His first public debate before the Pharisaic officers — on the question whether the paschal lamb might be slaughtered even if Passover fell on a Sabbath — culminated in the demonstration that what he concluded from the Bible by means of his system of interpretation coincided with the traditional ruling. It was then that the Pharisees made him their leader and accepted his innovation.¹⁹ Let us just note that the very setting of this historic debate was that of the 'disputatio fori.'²⁰

Hillel, by introducing this system into Talmudic jurisprudence, accomplished two things. He not only created the basis for a development of the law at the same time orderly and unlimited,²¹ but also led the way towards a bridging of the gulf

¹⁸ See the legends numbered (2) and (4) in the preceding footnote. According to Pal. Pes. 33a, Hillel went from Babylonia to Palestine in order to get it confirmed that the results of his interpretation agreed with tradition. Jesus' reply to the question about resurrection (see above, p. 243) is twofold: he not only propounds a theological argument — there might be a rejoinder to that — but also quotes a verse from Scripture to be taken as alluding to a quickening of the dead.

¹⁹ Pal. Pes. 33a, Bab. Pes. 66a.

²⁰ That ancient Roman 'interpretation' assumed the form of a public debate is stated in D. 1.2.2.5. A vivid illustration may be found in Cicero, *De Or.* 1.56.240; see below, p. 246 n. 24.

²¹ The possibilities of the new method were clearly seen from the outset,

between Pharisees and Sadducees. On the one hand, he upheld the authority of tradition. Actually, in a sense, he increased it: as, for him, the traditional decisions were all logical, necessary inferences from the Bible, they were equal in rank to the latter. He went as far as to speak of two Torah, a written one and an oral one²² — an idea governing all subsequent thought. On the other hand, his modern, scientific technique and, above all, the very conception of the oral Torah as deriving from, and thus essentially inherent in, the text implied a profound appreciation of the Sadducean standpoint and must have brought over a good many who embraced it. Clearly, his work in this field was not the least of his achievements in the service of unity and peace.

We may now examine the main ideas underlying Hillel's program.

First, the fundamental antithesis he tried to overcome was that between law resting on the respect for a great man, on the authority of tradition, and law resting on rational, intelligible considerations. This antithesis is common in the rhetorical literature of the time. His contemporary Cicero distinguishes between arguments from the nature of the case and arguments from external evidence, that is to say, from authority. An example of the latter type would be the decision: 'Since Scaevola said so and so, this must be taken as the law.'²³ In 137 B. C., Cicero reports, P. Crassus, after first 'taking refuge in authorities,' had to admit that Galba's 'disputation' founded on arguments from analogy and equity led to a more plausible result.²⁴

as emerges from legend (3), above, p. 244 n. 17: all Law might at a pinch be deduced from one principle.

²² Bab. Shab. 31a. Shammai also used these terms: in this respect, there was no disagreement between him and Hillel. The equality of the oral Torah is strikingly brought out by the fact that the principle from which, in Hillel's view, the entire Law might be deduced, 'What is hateful . . .' (see legend (3), above, p. 244 n. 17), belongs, not to Scripture, but to traditional ethics.

²³ Top. 2.8, 4.24 ('quae autem adsumuntur extrinsecus, ea maxime ex auctoritate ducuntur, ut si respondeas: quoniam P. Scaevola dixerit, id tibi ius videri'). Cp. Aristotle, *Rhet.* 2.23.12, Quintilian 5.11.36.

²⁴ De Or. 1.56.240 ('Galba autem multas similitudines afferre multaue pro aequitate contra ius dicere; atque illum ad auctores confugisse, ac tamen

Secondly, Hillel claimed that any gaps in Scriptural law might be filled in with the help of certain modes of reasoning — a good, rhetorical theory. Cicero has much to say about 'ratiocination,' by which 'from that which is written there is derived a further point not written,'²⁵ while Auctor ad Herennium defines 'ratiocination' as the method to be applied where 'the judge has to deal with a case not falling under a statute of its own, yet covered by other statutes in view of a certain analogy.'²⁶

Thirdly, the result of such interpretation was to be of the same status as the text itself, was to be treated as if directly enjoined by the original lawgiver. This view also can be paralleled. Of a certain institution, Gaius tells us that it is called 'statutory' because 'though there is no express provision about it in the statute (the XII Tables), yet it has been accepted through interpretation as if it had been introduced by the statute.'²⁷ Another time he even omits the 'as if,' representing as laid down by the XII Tables a rule in reality deduced from that code by its interpreters.²⁸ As is well known, the term *ius civile* was occasionally employed for the body of law evolved by interpretation.²⁹ This reflects a stage where the law evolved by interpretation was so different from, and so much fuller than, the statute law to which it attached that it had practically buried the latter and usurped its place.

concessisse Galbae disputationem sibi probabilem videri'). Of course, it was also possible to 'dispute,' 'interpret a statute,' so as to reach results in conflict with equity; D. 50.16.177, 50.17.65.

²⁵ De Inv. 1.13.17 ('ex eo quod scriptum est aliud quod non scriptum est inveniri'); cp. 2.50.148 ff.

²⁶ 1.13.23 ('cum res sine propria lege venit in iudicium, quae tamen ab aliis legibus similitudine quadam occupatur'); cp. Aristotle, Rhet. 2.23.1 ff., Quintilian 7.8.3 ff.

²⁷ 1.165 ('quae tutela legitima vocatur, non quia nominatim ea lege de hac tutela cavetur, sed quia proinde accepta est per interpretationem atque si verbis legis introducta esset'); cp. 3.218. The term *iura condere* may have originated as describing the activity of the ancient interpreters: see G. 4.30.

²⁸ 2.42: 'fundus vero et aedium biennio, et ita lege XII tabularum cautum est'. The XII Tables, as Gaius doubtless knew, mentioned only *fundus*, the interpreters, reasoning from analogy, added *aedes*; Cicero, Top. 4.23, Pro Caec. 19.54.

²⁹ D. 1.2.2.5, 12.

Fourthly, Hillel's assumption of 'a written Torah and an oral Torah' is highly reminiscent of the pair νόμοι ἔγγραφοι and νόμοι ἄγραφοι or *ius scriptum* and *ius non scriptum* (or *per manus traditum*). It is superfluous to adduce references, but it may be worth noting that the terms νόμοι ἄγραφοι and *ius non scriptum* do not always signify the natural law common to all men. They frequently signify the traditional, customary law of a particular community as opposed to its statute law.³⁰ Plato, in the same section where he describes the customs of the fathers as a protective covering around the written laws, says expressly that 'what people call customs of the fathers are nothing else than the sum of unwritten laws.'³¹ They are even used of the law created by the interpreters of statutes.³² Since, on the other hand, Hillel's 'oral Torah' was still of a wide range, embracing ethics as well as law in the narrow sense, his dependence on Hellenistic philosophy seems beyond doubt.

Fifthly, there is an idea which at first sight looks the exclusive property of the Rabbis, for whom the Bible had been composed under divine inspiration: the lawgiver foresaw the interpretation of his statutes, deliberately confined himself to a minimum, relying on the rest being inferable by a proper exegesis. (It is this idea which gradually led to the doctrine that the oral Law no less than the written is of Sinaitic origin: God, by word of mouth, revealed to Moses both the methods by which fresh precepts might be derived from Scripture and all precepts that would ever be in fact derived.) But even this is a stock argument of the orators. Cicero observes that the application of a statute

³⁰ Aristotle, *Rhet.* 1.13.2 (λέγω δὲ νόμον ἴδιον μὲν τὸν ἐκάστοις ὤρισμένον πρὸς αὐτοὺς, καὶ τοῦτον τὸν μὲν ἄγραφον τὸν δὲ γεγραμμένον, κοινὸν δὲ τὸν κατὰ φύσιν), also *D.* 1.1.6.1, 1.3.32 *pr.*, *I.* 1.2.3.9. That *ius scriptum* as understood in the *Digest* is not quite the same as statute law in the modern sense need hardly be mentioned. The term *per manus traditum* is, of course, always confined to the custom of a certain people; cp. *Livy* 5.51.4, *D.* 29.7.10.

³¹ *Laws* 7.793A (οὓς πατρίους νόμους ἐπονομάζουσιν οὐκ ἄλλα ἐστὶν ἢ τὰ τοιαῦτα (ἄγραφα νόμιμα) ξύμπαντα. In the *Statesman*, ἀγράμματα or ἄγραφα is regularly paired off with πάτρια; e. g. 295A, 298D f.

³² Cicero, *De Inv.* 1.13.17, 2.50.148, *Quintilian* 7.8.3, *D.* 1.2.2.5, 12; see above, p. 245 n. 20, p. 247 nn. 25, 26, 29.

to a case not mentioned in it may be justified by pleading that the lawgiver omitted the case 'because, having written about another, allied one, he thought nobody could have any doubt about this one,' or that 'in many laws many points are omitted which, however, no one would consider as really omitted, since they can be deduced from other points that are put down.'³³ Auctor ad Herennium advises him who wishes to go beyond the letter of a law to 'extol the appropriateness³⁴ and brevity of the author's style, since he put down only as much as was necessary, but deemed it unnecessary to put down what could be understood without being put down;' only by going beyond the letter are we giving effect to 'the will of the author.'³⁵ When Sabinus extended a mode of assessment prescribed in the first chapter of the *lex Aquilia* to the third where it was not prescribed, he maintained that 'the lawgiver thought it sufficient to have used the relevant word in the first chapter.'³⁶ The Romans inherited the idea from the Greeks. Lysias, for instance, asserts that the lawgiver who declared punishable the use of certain offensive words meant to include all equivalent ones.³⁷ If one wonders how Greeks

³³ De Inv. 2.50.150 f. ('idcirco de hac re nihil esse scriptum quod, cum de illa esset scriptum, de hac is qui scribebat dubitatum neminem arbitratus sit . . . multis in legibus multa praeterita esse quae idcirco praeterita nemo arbitretur quod ex ceteris de quibus scriptum sit intellegi possint'); cp. 2.47.39 f., 2.50.152, De Leg. 2.7.18.

³⁴ Cp. *commodissime* in Cicero, De Inv. 2.50.152, cited in the preceding footnote.

³⁵ 2.10.14 ('laudabimus scriptoris commoditatem atque brevitatem, quod tantum scripserit quod necesse fuerit, illud quod sine scripto intellegi potuerit non necessario scribendum putaverit . . . contra eum qui scriptum recitet et scriptoris voluntatem non interpretetur'); cp. 2.12.18.

³⁶ G. 3.218: 'nam legislatorem contentum fuisse quod prima parte eo verbo usus esset.' Note the close similarity in expression to Auct. ad Her. 2.10.14, 2.12.18, cited in the preceding footnote. I. 4.3.15 says: 'nam plebem Romanam, quae hanc legem tulit, contentam fuisse'. Possibly, Tribonian no longer understood the doctrine of interpretation underlying Sabinus' remark and believed that the omission in the third chapter was to be explained by the character of the *lex Aquilia* as a plebiscite, the *plebs* being a careless and lazy lawgiver.

³⁷ Contra Theomn. I 8 (περί ενός εἰπὼν περί πάντων ἐδήλωσεν); cp. also (despite important differences) Aristotle, Rhet. 1.13.13, 17, in turn dependent on Plato, Statesman 294A f.

and Romans could talk in this 'religious' way, it should be remembered that there had been periods when their ancient legislations also enjoyed a semi-divine standing, much as the Bible did among the Jews.

Sixthly, it is the task of a lawgiver to lay down basic principles only, from which any detailed rules may be inferred. Just so, Cicero, in the imaginary role of a legislator, announces that 'the statutes will be set forth by me, not in a complete form — that would be endless — but in the form of generalized questions and their decisions;' and according to Suetonius, Caesar planned to replace the embarrassing mass of statutes by 'a few books, containing what was best and necessary.'³⁸

Seventhly, it is the task of a lawgiver, if he wants to regulate a series of allied cases, to choose the most frequent and leave the others to be inferred on the ground of analogy.³⁹ Just so, Cicero argues that the edict directed against violence with the help of men 'brought together' covers the case where men had assembled uninvited and were then made to participate in some violence; the edict is framed in this way because 'normally, where numbers are needed, men are brought together,' but 'though the word may be different, the substance is not, and the same law will apply to all cases where it is clear that the same principle of equity is at stake.'⁴⁰ In opening that half of his *Digest* where he discusses *leges* and *senatusconsulta*, Julian explains that neither 'can be formulated so as to comprise all cases that may

³⁸ Cicero, *De Leg.* 2.7.18, referred to above, p. 249 n. 33 ('leges a me edentur non perfectae — nam esset infinitum — sed ipsae summae rerum atque sententiae'); cp. 2.19.47 ff., Aristotle, *Rhet.* 1.13.12 ff., Nic. E. 5.10.4 ff., Plato, *Statesman* 294A f. Suetonius, *Div. Jul.* 44.2 ('optima quaeque et necessaria in paucissimos conferre libros'); cp. the use of *necessarius* in Auct. ad Her. 2.10.14, quoted above, p. 249 n. 35.

³⁹ It is not certain that this idea goes back to Hillel's time, but it cannot be much later: see Mishnah Edhuyoth 1.12, where the School of Shammai accounts for a traditional ruling, which they desire to extend, by saying that it speaks about 'what happens normally,' i. e. gives only the principal example. By Ishamel's age, the idea was fully established.

⁴⁰ Pro Caec. 21.59 ('quia plerumque, ubi multitudo opus est, homines cogi solent, ideo de coactis compositum interdictum est; quod etiamsi verbo differre videbitur, re tamen erit unum, et omnibus in causis idem valebit in quibus perspicitur una atque eadem causa aequitatis').

occur at any time, but it is sufficient that the most frequent happenings should be regulated.⁴¹

Hillel's jurisprudence, then, i. e. his theory of the relation between statute law, tradition and interpretation, was entirely in line with the prevalent Hellenistic ideas on the matter. The same is true of the details of execution, of the methods he proposed to give practical effect to his theory. The famous seven norms of hermeneutics he proclaimed, the seven norms in accordance with which Scripture was to be interpreted, hitherto looked upon as the most typical product of Rabbinism, all of them betray the influence of the rhetorical teaching of his age.

The first of these norms is the inference *a fortiori*, or a *minori ad maius* — in Hebrew *qal wahomer*, 'the light and the weighty.' Ex. 20.25 gives permission to build the altar of stone, brick or anything else.⁴² By means of a *qal wahomer*, it is concluded that, since the material may be chosen in the case of this most important object of the Temple, it may *a fortiori* be chosen for the other, less important objects. The second, third and fourth norms in Hillel's plan are various kinds of inferences from analogy. For example, just as the daily sacrifice, which Scripture says should be brought 'at its appointed time,' is due even on a Sabbath, so the Passover lamb, which Scripture also demands 'at its appointed time,' must be slaughtered even if Passover falls on a Sabbath.⁴³ Rhetorical parallels abound. 'What applies to the *maius*,' says Cicero, 'must apply also to the *minus*, and *vice versa*. Again, what applies to one thing must apply to that which is equal.'⁴⁴ To discover the meaning of a problematic

⁴¹ D. 1.3.10; see Lenel, *Palingenesia*, vol. 1, 464 ('neque leges neque senatusconsulta ita scribi possunt ut omnes casus qui quandoque inciderint comprehendantur, sed sufficit ea quae plerumque accidunt contineri').

⁴² At least that was what the Rabbis took to be the force of 'if' in 'And if thou wilt make me an altar of stones.' Mekhiltha *ad loc.* For the present purpose, it is immaterial whether or not this view is tenable.

⁴³ Pal. Pes. 33a, Bab. Pes. 66a, Num. 28.2, 9.2. The writer refrains from being more explicit about Hillel's second, third and fourth norms because their original nature and history has not so far been appreciated, but it would lead too far afield here to go into them. For a certain aspect of the second, *gezera shawa*, see above, p. 241 n. 7.

⁴⁴ Top. 4.23: 'quod in re maiore valet valeat in minore, item contra;

phrase, its 'normal force,' the 'usage of language' and the 'analogies and examples of those who have used it thus' will have to be considered;⁴⁵ and the definition should not 'clash with the usage in the writings of others, certainly not with that in other writings by the same author.'⁴⁶

It might perhaps be objected that it is so natural to argue *a fortiori* or from analogy that the parallels cannot prove any borrowing on Hillel's part. Postponing this problem for a moment, we would draw attention to the arrangement of his norms: first *a fortiori*, then analogy. One could imagine the reverse order. But it is interesting that, right from Aristotle,⁴⁷ wherever in rhetorical literature the methods of interpretation are set forth in a tabulated form, this is the order we find. We have already quoted Cicero: 'What applies to the *maius* must apply to the *minus*, and *vice versa*; what applies to one thing must apply to that which is equal.'⁴⁸ Auctor ad Herennium declares that the first thing to be asked when filling the gaps of the law by 'ratiocination' is 'whether anything comparable has been laid down concerning greater, smaller or equal matters.'⁴⁹ There is a standard sequence, and it is observed in Hillel's list.

Still deferring the question of the naturalness of his first four norms, let us proceed to the fifth, which is more complicated, the rule of 'the general and the specific,' *kelal upherat*. It says that if the range of a statute is indicated both by a wider and a narrower term, it is the one put second that counts; that is to say, if the narrower term comes second, it restricts the wider

item quod in re pari valet valeat in hac quae par est.' As an illustration of the latter argument he adduces the extension of the XII Tables' rule concerning usucapion of *fundus*; see above, p. 247 n. 28.

⁴⁵ Part. Or. 36.123, 126 ('communis verbi vis,' 'consuetudo sermonis,' 'similia exemplaque eorum qui ita locuti sunt').

⁴⁶ Part. Or. 37.132 ('discrepare cum ceteris scriptis vel aliorum vel maxime eiusdem').

⁴⁷ Rhet. 2.23.4 f.

⁴⁸ Top. 4.23; see above, p. 251 n. 44. Cp. 18.68, De Or. 2.40.172, De Inv. 1.28.41, 2.17.55; also Quintilian 5.10.86 ff. There are one or two exceptions to the rule, but they can be shewn to be secondary.

⁴⁹ 2.13.18 ('in causa ratiocinali primum quaeretur ecquid de rebus maioribus aut minoribus aut similibus similiter scriptum aut iudicatum sit').

one, while if the wider one comes last, it includes and adds to the narrower one. Lev. 1.2 ordains that 'ye shall bring your offering of the beasts, of the oxen and sheep;' the general term 'beasts' is restricted by the following more specific 'oxen and sheep' — so wild animals are excluded.⁵⁰ By way of contrast, Ex. 22.9 (10) fixes the liability of a man charged by another with the custody of 'an ass, an ox, a sheep or any beast;' here the specific terms 'ass, ox, sheep' are covered and added to by the following more general 'any beast' — so the regulation extends to wild animals as well.⁵¹

The latter half of the norm, about the order specific — general, is fully given by Celsus (who was particularly interested in hermeneutics): 'it is not unusual,' he tells us, 'for a statute first to enumerate a few cases specially and then to add a comprehensive term by which to embrace any special cases.'⁵² The rule underlies certain older decisions, for instance, one by Q. Mucius. A will provided that 'X shall be my heir if he ascends the Capitol; X shall be my heir,' and Mucius held that 'the second clause should prevail, since it is fuller than the first.'⁵³ However, the other part of this norm of interpretation, i. e. that concerning the order general — specific, also seems to have been familiar to the earlier classical Roman jurists. A man, in conveying land, gave an assurance that 'it was first class (free from servitudes) and he had not allowed its legal position to deteriorate (had not allowed any servitudes to be imposed).' Proculus held that only the second, narrower clause was binding: 'though the first clause alone, without the addition of the second, would mean the

⁵⁰ Siphra *ad loc.*

⁵¹ Mekhiltha *ad loc.*

⁵² D. 9.2.27.16: 'non esse novum ut lex specialiter quibusdam enumeratis generale subiciat verbum quo specialia complectatur.' Celsus is discussing the *lex Aquilia*, which, as we saw above, p. 249, Sabinus also treated on approved rhetorical lines. In non-legal prose, the summing up of a detailed exposé was, of course, a recognized stylistic device. Cicero, in *De Inv.* 2.5.18, uses almost the same words as Celsus: 'denique, ut omnia generatim amplectamur . . .'

⁵³ D. 28.5.68, from Pomponius on Mucius, but doubtless going back to the latter ('si ita scriptum fuerit "Tithasus si in Capitolium ascenderit heres esto, Tithasus heres esto," secunda scriptura potior erit; plenior est enim quam prior').

complete absence of any servitudes, yet I believe the second clause releases him sufficiently to limit his responsibility to such servitudes as were imposed through himself.⁵⁴ The specific term, the *perat*, which comes second, restricts the general one, the *kelal*, which comes first.

To turn now to the question we have put off: can it be argued that the first four norms of Hillel are so natural that the rhetorical parallels constitute no evidence of a genetic connection? For one thing, the argument is greatly weakened by the existence of parallels to the fifth norm, of 'the general and the specific,' which is rather subtle (not to mention the Hellenistic colouring of Hillel's doctrine of the role of interpretation as a whole). But even the first four are not so very simple. If we take as illustration the inference *a fortiori* — to be sure, any layman might reason thus: 'Here is a teetotaller who does not touch cider; he will certainly refuse whisky.' Three points, however, must not be overlooked. First, the deduction will not always be made in this direct, almost technical manner; more often than not there will be some twist somewhere. Secondly, the ordinary person will rarely perceive the exact nature of his deduction. There is a considerable difference between merely using various modes of deduction and being aware of using just these modes, defining, distinguishing and tabulating them. Thirdly, the recommendation of a series of such modes of deduction as an instrument — or indeed, as the only satisfactory instrument — with which to build up a complete legal or theological system manifestly involves a further step. Medieval Icelandic law is of a high standard; if the norms of exegesis here discussed were so natural,

⁵⁴ D. 50.16.126: 'si, cum fundum tibi <mancipio> darem, legem ita dixi "uti optimus maximusque esset" et adieci "ius fundi deterius factum non esse per dominum praestabitur," amplius eo praestabitur nihil; etiamsi prior pars "ut optimus maximusque sit" liberum esse significat eoque, si posterior pars adiecta non esset, liberum praestare deberem, tamen inferiore parte satis me liberatum puto ne quid aliud praestare debeam quam "ius fundi per dominum deterius factum non esse."' For <mancipio>, see Lenel, *Palingenesia*, vol. 2, 164. The present writer has changed the current punctuation of the text, which takes no account of the doctrine of interpretation behind it. It is unfamiliarity with this doctrine which explains the large scale excisions and emendations proposed by some modern scholars.

we should expect to find them there, but there is no trace of them. Actually, it is by no means clear to what extent our modern lawyers are consciously applying a coherent system of hermeneutics.

A comparison between the Old Testament and the New is instructive. Both contain inferences *a fortiori*; the Old Testament cases were already collected by the Rabbis of the Talmud (occasionally, indeed, their eyes were too sharp). But there is a difference. The Old Testament cases are popular, the New Testament ones technical. A good Old Testament instance is the reply of Joseph's brothers when accused of the theft of his cup: 'The money which we found in our sacks' mouths we brought again unto thee — how then should we steal silver or gold?'⁵⁵ Apart from a slight irregularity in the structure of the argument — an action, 'we brought again,' in the premise, an omission, 'we did not steal,' in the conclusion⁵⁶ — it is relevant to note that the statement occurs in the course of a dispute concerning facts, namely, the guilt or innocence of Joseph's brothers. It is a far cry from here to the methodical elaboration of law and theology by means of the norm *a minori ad maius*. This stage, however, is reached by the time of the New Testament. According to Matthew, Jesus, asked about healing on the Sabbath, answered: 'What man shall have one sheep, and if it fall into a pit on the sabbath, will not lift it out? How much better then is a man than a sheep! Wherefore it is lawful to do well on the sabbath.'⁵⁷ According to Luke, he argued: 'Doth not each man on the sabbath loose his ox for the watering? And ought not this woman, being a daughter of Abraham, whom Satan hath bound these eighteen years, be loosed?'⁵⁸ These are academic, 'Halakhic'

⁵⁵ Gen. 44.8.

⁵⁶ A perfectly straight inference *a fortiori* would run either 'we did not retain the money found, still less did we steal' or 'we brought again the money found, still more did we refrain from stealing.'

⁵⁷ Matthew 12.10 ff.

⁵⁸ Luke 13.14 ff. It is interesting that the mode of reasoning is the same as in Matthew 12.10 ff., a *qal wahomer*, though the substance of the argument is not a little different. The argument of Luke 14.3 ff., on the other hand, is very close to Matthew 12.10 ff. in substance, but there is no longer an obvious *qal wahomer*. If we did not know Matthew 12.10 ff. and Luke 13.14 ff., we

applications of Hillel's first rule of exegesis. No less significant an example may be met with in Paul's theological discourse: 'While we were yet sinners, Christ died for us; much more then, being now justified by his blood, we shall be saved from wrath through him.'⁵⁹ The technique is exactly the same as that of the Roman jurists, whose 'ratiocination' respecting the *lex Aelia Sentia* is recorded by Gaius. The statute laid down that the property of certain *dediticii* should on death be treated like that of citizen freedmen. The jurists, however, decided that the *dediticii* were not thereby given the citizen freedmen's power of making a will: seeing that even Junian Latins, superior in status to *dediticii*, were incapable of making a will, it could not have been the lawgiver's intention to grant this facility to 'men of the very lowest rank.'⁶⁰

The point is that Hillel's system — and not only the first four norms⁶¹ — is 'natural' in the sense of 'grown out of intelligent

should probably see in Luke 14.5 a reasoning from analogy: as one may help a beast, so one may ■ man.

⁵⁹ Romans 5.8 f.; much more = πολλῶ μᾶλλον, *multo magis*. John 13.14 is curious. According to the prevalent reading, Jesus, as Lord and Master, sets an example, ὑπόδειγμα, to be imitated by his disciples; this idea recurs in many passages of the New Testament. But D Θ it sy insert πόσω μᾶλλον before καὶ ὑμεῖς ὀφείλετε, thus turning the argument into a technical *qal wahomer*: if the Master performs this servile duty, *a fortiori* the disciples must do it.

⁶⁰ 3.75: 'pessimae condicionis hominibus.' Note the ascription of the result to the will of the lawgiver; cp. above, pp. 248 ff. The term *incredibile* is technical in rhetorical hermeneutics: *verisimile* or *credibile* designates what may be presumed, in view of all circumstances or on 'ratiocination,' to be the import of an arrangement or law, *incredibile* what cannot be regarded as such. See e. g. Cicero, *De Inv.* 2.40.117, *D.* 12.4.6.pr., 15.1.9.4, 15.1.57.2, 18.1.39.1, 19.1.13.22, 20.1.6, 20.4.13, 28.6.41.5, 30.1.47 pr., 34.2.8, 34.5.24, 35.1.25, 35.1.36.1, 48.19.41, 50.16.142, 50.17.114. Later the exclusion of *dediticii* was based not on an inference *a minori ad maius*, but on an entirely different argument: Ulp. 20.14.

⁶¹ The fifth, 'the general and the specific,' is applied, more or less consciously, in innumerable cases in modern law. The *Travellers' Guide*, handed to those spending a holiday abroad, forbids you 'to cash cheques on your sterling account, to borrow currency or to enter into any other agreement to obtain foreign currency' — clearly a provision which 'specialiter quibusdam enumeratis generale subiciat verbum quo specialia complectatur.'

observation, consistent and useful.' (So, presumably, is the theory of relativity.) But (like the theory of relativity) it is not 'natural' — not even the first four norms — in the sense of 'obvious, readily hit upon by any student of these matters.' It is the naturalness of the rhetorical categories and methods in the former sense, their soundness as doctrine and in practice, which accounts for their adoption, in one form or another, in so many parts of the Hellenistic world. Recently, it has been shewn that Philo was acquainted with them, and the conclusion has been drawn that he was influenced by Palestinian Rabbinism. But it is far more likely that he came across them in the course of his general studies at Alexandria. We have before us a science the beginnings of which may be traced back to Plato, Aristotle and their contemporaries. It recurs in Cicero, Hillel and Philo — with enormous differences in detail, yet *au fond* the same. Cicero did not sit at the feet of Hillel, nor Hillel at the feet of Cicero; and there was no need for Philo to go to Palestinian sources for this kind of teaching. As we saw, there are indeed signs that Hillel's ideas were partly imported from Egypt. The true explanation lies in the common Hellenistic background. Philosophical instruction was very similar in outline whether given at Rome, Jerusalem or Alexandria.

It is not necessary to dwell on the remaining norms of Hillel, beyond noting a clear parallel to the seventh, the rule that an ambiguity in the law may be settled by adducing the context, *dabhar hallamedh me'inyano*. The commandment 'Thou shalt not steal' is interpreted as referring to theft of a person, not of property, since it appears together with other capital crimes against a person, namely, murder and adultery.⁶² Cicero writes: 'It ought to be shewn that the ambiguous passage becomes intelligible from what precedes and comes after it.'⁶³ It may well have been this norm of interpretation which Celsus had in mind when he declared, in discussing *leges dotis*, that 'it was not in accordance with the science of the civil law to judge or give

⁶² Mekhiltha *ad loc.*, Bab Sanh. 86a.

⁶³ De Inv. 2.40.117 ('ex superiore et ex inferiore scriptura docendum id quod quaeratur fieri perspicuum').

an opinion on the basis of a mere fragment of a *lex*, without inspecting the whole.'⁶⁴

A few remarks may be added about terminology. We have already pointed out that, just as the Romans succeeded in latinizing the rhetorical notions they used, so the 'classical,' Tannaitic Rabbis succeeded in hebraizing them. There was no slavish, literal rendering. In fact, it is fascinating to watch the transformation the Hellenistic concepts underwent as they were freely adapted to the Jewish milieu. To take a small example, we mentioned above the introduction by Hillel of the antithesis 'a written Torah and an oral Torah,' an antithesis owing much to that of *νόμοι ἑγγράφοι* and *ἄγραφοι* or *ius scriptum* and *non scriptum* or *per manus traditum*. Yet look at the Hebrew term for 'oral Torah:' *torah shebbe'al pe*, 'Torah by mouth.' The words '*al pe*, 'by mouth,' frequently signify 'by heart,' 'from memory,' and this meaning is certainly relevant. But for the Rabbis of the Talmud, a good many other ideas were evoked by the phrase. We need only consider passages like the following: 'According to the mouth of the Lord they rested, and according to the mouth of the Lord they journeyed; they kept the charge of the Lord according to the mouth of the Lord in the hand of Moses';⁶⁵ again, 'The Torah of thy mouth is better unto me than thousands of gold and silver; give me understanding that I may learn thy commandments';⁶⁶ or again, 'This book of the Torah shall not depart out of thy mouth, but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein.'⁶⁷ The latter verse in particular must have been in Hillel's mind when he coined the antithesis in question (or in the mind of whoever coined it about that time). It advocates the constant study, interpretation, of Scripture,⁶⁸ for the sake

⁶⁴ D. 1.3.24; Lenel, *Palingenesia*, vol. 1, 141 ('incivile est nisi tota lege perspecta una aliqua particula eius proposita iudicare vel respondere'). On Celsus, see above, p. 253.

⁶⁵ Num. 9.23; cp. Josh. 22.9, Ex. 17.1, 38.21, Num. 3.51, Ezra 1.1, II Chron. 36.22.

⁶⁶ Ps. 119.72 f.

⁶⁷ Josh. 1.8.

⁶⁸ Exactly what the original author meant by this does not here matter. The Rabbis understood the verse as referring to the kind of study they

of being able scrupulously to fulfil all precepts. When we remember the function of 'a fence' around Scriptural law assigned to the tradition of the fathers in the age of Hillel, and when we consider that the verse quoted enjoins constant interpretation by saying that 'the Torah shall not depart out of thy mouth' and describes as the object the keeping of all 'that is written therein,' we can hardly doubt that here is a main root of Hillel's contrast between the 'written Torah' and the 'Torah by mouth.' The Hellenistic scheme has been completely Judaized.

Nevertheless there are instances of the Greek or Latin terms being still noticeable in the Hebrew. In some cases, this is almost inevitable. Rules concerning deduction from analogy will naturally operate with concepts like *ὁμοιον* in Greek — as when Aristotle explains this method as 'the comparison of like with like, when both of them come under the same genus but one is more familiar than the other'⁶⁹ — *simile* or *par* in Latin — as when Cicero says that 'the doubtful matter to be deduced must appear similar to one as to which there is certainty'⁷⁰ or that 'like is compared to like'⁷¹ — *shawe* in Hebrew.⁷² Again, rules concerning general and specific laws could scarcely avoid expressions like *καθόλου* — *κατὰ μέρος* (*καθ' ἑκάστον*), *γενικόν* (*περιέχειν*, *περιλαμβάνειν*) — *ἴδιον*, *generale* (*complecti*) — *speciale* (*singula*), *kelal* — *perat*. However, on occasion, the Rabbis employ words less obviously suitable, when it is worth searching for the possible Greek or Latin model. The sixth of Hillel's norms is called *keyotse' bo bemaqom 'aher*, literally, 'as what is going out with it in another passage of Scripture.' The verse 'When Moses held up his hand Israel prevailed'⁷³ is taken

practised. It is noteworthy that the verb *hagha*, 'to meditate,' is actually used as denoting 'to deduce a further law from an existing one' in Pal. Meg. 72b.

⁶⁹ Rhet. I.2.19 (ὁμοιον πρὸς ὁμοιον, ὅταν ἄμφω μὲν ἢ ὑπὸ τὸ αὐτὸ γένος, γνωριμώτερον δὲ θάτερον τοῦ θατέρου).

⁷⁰ De Inv. 2.50.150 ('ut id de quo quaeritur rei de qua constat simile esse videatur').

⁷¹ Top. 10.43 ('par pari comparatur').

⁷² Occurring in the second of Hillel's norms and several other Tannaitic rules of interpretation.

⁷³ Ex. 17.11.

as meaning that Israel prevailed when directing their thoughts on high; 'as what is going out with it thou shouldest say, Make a serpent and set it upon a standard and every one that seeth it shall live'⁷⁴ also means that they were healed when directing their thoughts on high.'⁷⁵ The phrase *yotse' bo* (in Aramaic *naphiq be*), 'going out with it,' in this sense of 'corresponding to,' is rare. Its use in the norm under discussion may well be due to *συμβαίνω*, which signifies not only 'to correspond to,' but also 'to follow from reasoning.'⁷⁶

Another case seems to be the familiar (*shen*)*ne'emar*, '(as) it is said.'⁷⁷ Like '(as) it is written,' it exclusively introduces quotations from Scripture — never an oral tradition. It is tempting to explain this by the influence of *ῥητόν* which, in rhetorical works, though literally 'what is said,' has the technical sense of 'the written document to be subjected to interpretation.'⁷⁸ The Roman orators translated it by *scriptum*.⁷⁹ The Rabbis, in addition to *kathubh* (Aramaic *kethibh*), 'it is written,' evolved a term more faithfully rendering the Greek: *ne'emar*, 'it is said.'

⁷⁴ Num. 21.8.

⁷⁵ Mishnah R. H. 3.8.

⁷⁶ See Plato, Gorg. 479C (συλλογίζομαι τὰ συμβαίοντα ἐκ τοῦ λόγου), Phaedo 74A (κατὰ πάντα ταῦτα συμβαίνει τὴν ἀνάμνησιν εἶναι ἀφ' ὁμοίων), Aristotle, Nic. E. 7.12.1 (οὐ συμβαίνει διὰ ταῦτα), Demosthenes, Contra Aristog. I 792A (ἐκ γὰρ ὧν νῦν ὁδ' ἀξιοῖ ταῦτα συμβαίνει — the conclusion drawn is involved but, if the rhetorical scheme underlying it is recognized, makes perfect sense). Other terms deserving consideration in this connection are *διεξερχομαι περί τινος*, 'to expound' (e.g. Plato, Laws 9.857E) and even the Latin (*per*)*venire* (e.g. Cicero, De Inv. 2.50.148 f., 152 — see above, p. 247 n. 25).

⁷⁷ It does not figure in Hillel's norms, but that it goes back to his epoch may be seen from *ἐρρέθη* in Matthew 5.21, 31, Romans 9.12; cp. *εἶρηκεν* in Hebrews 4.3, *ῥηθέν* in Matthew 1.22, 2.17, 23, 4.14, 8.17, 12.17, 13.35, 22.31, 24.15, and *εἰρημένον* in Luke 2.24, Acts 2.16, 13.40, Romans 4.18.

⁷⁸ The fact that later scholiasts emphasize that the spoken word also may form a *ῥητόν* only confirms the original limitation. See also the next footnote.

⁷⁹ They soon noticed that *scriptum* in this technical sense might consist in a purely verbal utterance; see e.g. Quintilian 7.5.6. Cp. the preceding footnote.

In conclusion, attention may be drawn to four points that should be borne in mind when these matters are pursued in greater detail.

First, the influence of Hellenistic philosophy was not confined to the period of Hillel. It had started before; and it went on afterwards, in an increasing degree, for a long time. The systems of interpretation advocated by Ishmael and Akiba some 150 years later can be understood only against the background of the rhetorical teaching of the time. Josiah, a disciple of Ishmael, about the middle of the 2nd century A. C., favoured the method of *seres*: a verse at first sight illogical may be made logical by re-arranging its parts. In Num. 9.6 ff., we are told that certain men brought a problem 'before Moses and before Aaron' and that Moses transmitted it to God, thus obtaining the correct solution. Josiah explains⁸⁰ that the passage cited must be re-arranged: the men evidently came first before Aaron, who did not know, and then before Moses, who approached God. The name of the method is curious, the literal meaning of *seres* being 'to castrate.' It becomes intelligible, however, when we remember that *τέμνειν* also signifies 'to castrate,' 'to divide logically,' 'to distinguish,' *τομή* 'castration,' 'logical division,' 'distinction,' 'precision of expression,' 'caesura.' Even ideas which *prima facie* one would incline to put down as peculiarly Rabbinic may turn out to have been, if not borrowed from rhetoric, at least supported, helped on, by it. The oral Torah, in the eyes of the Rabbis, is the particular glory of Israel; the gentiles cannot grasp the secret, mysterious way Scripture is interpreted.⁸¹ Cicero, as an argument in favour of 'interpretation,' i. e. of following the spirit rather than the letter of a statute, refers to the lawgiver's decree that judges must be of a certain rank and age, capable not only, as anybody would be, of reciting a statute, but also of discovering its intention: 'if the author of a statute committed his work to simple men and primitive judges, he would diligently put down every detail, but since he knows how well qualified the judges

⁸⁰ Siphre *ad loc.*

⁸¹ Tanhuma Wayyera par. 6 on Gen. 18.17.

will be, he does not add what he deems to be obvious.⁸² It is the same thing in a Roman dress.⁸³

Secondly, the influence of Hellenistic philosophy was not confined to the domain of interpretation. Such fundamental matters as the distinction between *mishpatim*, rational, natural laws, 'commandments which, were they not laid down, would have to be laid down,' and *hugqoth*, inexplicable laws, 'commandments which the evil impulse and the heathens refute,'⁸⁴ are not of purely Jewish origin; and even the teaching that 'you have no right to criticize the *hugqoth*'⁸⁵ was probably a commonplace before Plato. He has a profound discussion as to how far it is proper 'to be wiser than the laws'⁸⁶ — this sounds like a reference to an earlier slogan —, and Aristotle advises us, if our case is favoured by a statute which, though still technically in force, is clearly obsolete, to argue 'that there is no advantage in being wiser than the physician, for an error of the latter is less harmful than the habit of disobeying the authority; and to try to be wiser than the laws is precisely what is forbidden in the best of them.'⁸⁷ Students of Roman law are familiar with the statements by Julian, 'It is impossible to give reasons for everything that our forefathers laid down,'⁸⁸ and by Neratius, 'Wherefore it is not

⁸² De Inv. 2.47.139 ('demonstrabit illum scriptorem, si scripta sua stultis hominibus et barbaris iudicibus committeret, omnia summa diligentia per-scripturum fuisse; nunc vero, quod intellegeret quales viri res iudicaturi essent, idcirco eum quae perspicua videret esse non adscripsisse').

⁸³ Needless to say, an advocate using Cicero's argument would at the same time flatter the judges. Even this element was hardly unwelcome to the Rabbis: the people would be more willing to shoulder the burden of the oral Law if that gave them a feeling of superiority.

⁸⁴ Siphra on Lev. 18.4, Bab. Yoma 67b.

⁸⁵ *Ib.*

⁸⁶ Statesman 299C (οὐδὲν γὰρ δεῖ τῶν νόμων εἶναι σοφώτερον).

⁸⁷ Rhet. 1.15.12 (οὐ λυσιτελεῖ παρασοφίζεσθαι τὸν ἱατρόν, οὐ γὰρ τοσοῦτο βλάπτει ἢ ἁμαρτία τοῦ ἱατροῦ ὅσον τὸ ἐθίζεσθαι ἀπειθεῖν τῷ ἄρχοντι καὶ ὅτι τὸ τῶν νόμων σοφώτερον ζητεῖν εἶναι τοῦτ' ἐστὶν ὃ ἐν τοῖς ἐπαινουμένοις νόμοις ἀπαγορεύεται. The argument is strongly influenced by Plato. Even the comparison with the physician occurs in Statesman 294 ff.

⁸⁸ D. 1.3.20 ('non omnium quae a maioribus constituta sunt ratio reddi potest').

correct to inquire into the reasons of what they laid down, otherwise much that is secure would be undermined.⁸⁹

Thirdly, if the Roman and Greek sources can help us to elucidate the Jewish side, the converse is also true. To some extent, this may have become clear already. But to take a fresh example, about 200 B. C., Aelius Paetus wrote a 'tripertita,' where 'the law of the XII Tables was given first, then the interpretation was joined to it and finally the *legis actio* was appended.'⁹⁰ Scholars are still divided as to whether there were three large parts — first the complete XII Tables, next all results of interpretation and then a list of all *legis actiones* — or whether each provision of the XII Tables (or each group of provisions) was accompanied by its interpretation and *legis actio*. Comparison of the Rabbinic material should settle the controversy in favour of the latter alternative. Aelius Paetus wrote a Midrash. The old, expository (as distinct from the homiletical) Midrash takes the form of a running commentary on Scripture.⁹¹ It is significant, however, that there is nothing on the Jewish side to correspond to the *legis actio*. So even here, no sooner have we noted a parallel than we are struck by the profound difference between the two legal systems.

This brings us to the fourth and last point. The next task, of course, is to conduct a thorough inquiry into the debt of Talmudic jurisprudence to Hellenistic rhetoric. The present study is only

⁸⁹ D. 1.3.21 ('et ideo rationes eorum quae constituuntur inquiri non oportet, alioquin multa ex his quae certa sunt subvertuntur').

⁹⁰ D. 1.2.2.38 ('lege XII tabularum praeposita iungitur interpretatio, deinde subtexitur legis actio'). The same threefold division comes earlier on in the same fragment, in the first half of 1.2.2.12 (that the part up to 'content' goes back to an older source than the rest is suggested by the fact that the second half begins by 'aut plebiscitum' instead of 'aut est plebiscitum'), and it recurs in 1.3.13.

⁹¹ True, the Midrash was not written down till long after the period of the 'tripertita.' But in its oral form, it certainly dates from the 1st century B. C. (The recent discovery of a homiletical Midrash on Habakkuk 1 f., possibly written down in the 1st century B. C., is significant in this connection: the first steps towards a Halakhic Midrash can hardly be later.) Moreover, the Targum, the free rendering of Scripture into the vernacular for use in liturgy, is as old as Aelius, and the rule was that each verse of Scripture was at once to be followed by its paraphrase.

a first beginning, intended to open the subject and to shew that some debt there is, but to do no more. We have merely touched the fringe. Yet it is greatly to be hoped that, once this immediate task has been carried out, with all that belongs to it (it will, for example, be necessary to answer such subsidiary questions as whether the influence was greater or smaller at different times and on different schools, and through what channels it was chiefly exercised), the second, subtler one will not be forgotten: a working out of the differences between Greek and Roman rhetoric and Talmudic rhetoric, of the factors that determined the Rabbinic selection of certain notions and rejection of others, and of the changes that the Hellenistic concepts suffered — singly and as a system — in the course of being transferred to an alien soil.

JEROME'S RENDERING OF עולם

✠ RAPHAEL LOEWE, University of Leeds

THE history of biblical translation and exegesis is to some extent that of the interpretation of scriptural formulas and concepts in the light of ideas of the translator or exegete himself and of those commonly held in his own day. This process is complicated by two factors. The first is that in the original language the meaning of a given word has often developed in the period that separates the composition of the text from its translation; early exegesis, both Jewish and Christian, was virtually unaware of this development apart from recognizing that one word often bears different meanings according to its context. In an age when the Bible was regarded as a spiritual unity, composed of a few actual literary unities, the existence of such a problem could scarcely be felt; and its consideration had to wait for modern biblical criticism and comparative linguistics. The other factor is that a word of complex meaning in the original can sometimes not be rendered in the new language by an exact equivalent: a substitute must therefore be selected, and this will reproduce the original accurately only if it is, so to speak, fertilized by it and impregnated with a specific connotation — e. g. ἄγγελος for מלאך. To sustain the metaphor, if the female parent is already itself a complex idea, the concept of the original will, in translation, inherit the characteristics associated with its "equivalent" in the vernacular for any reader who has not the scholastic equipment constantly to make a tacit mental reservation as he reads. And since this depends on a knowledge of Hebrew, such an adjustment could not be made by any but a few readers of the Bible in Greek.

The study of this interaction is of particular significance in cases where later theological and philosophical thought, both Jewish and Christian, has progressed beyond that explicitly found in the Bible. Since to both the canonical text enshrined eternal truth, the original must always contain implicitly the

more advanced idea which it conveyed to the exegete, or rather which he read into it: and he naturally considered it his function to bring this out in his translation. Where the terminology existed, he would express his own interpretation by the choice of the appropriate single word — e. g. *δικοιμένη* for חבל. Where this was impossible, a paraphrase could be incorporated in the translation for every occurrence in the original, provided that it was kept sufficiently short to be grammatically manageable; for example, the targumic מִמְרָא.

In view of the great influence of the Vulgate, Jerome's exegesis is important from this point of view. His treatment of the Hebrew word עולם, as a means of predicating the eternity of God, is here considered, and an attempt made to place it in its context in the history of biblical exegesis. The necessary preliminary is an understanding of the use of עולם in Hebrew and its equivalent in Greek.

In his consideration of the Hebrew view of time and eternity,¹ Wheeler Robinson accepted the derivation that connected it with the Accadian *ullānu*, 'that which is remote in time or place'. Of the past it designates ancient things, often with the suggestion of permanence, e. g. Jer. 5.15. As applied to the future it implies a virtual transition from the very remote to the permanent; but עולם can express this in a purely relative sense, e. g. in connection with human life (עבר עולם etc.). As used of God, for example in the doxology מִן הָעוֹלָם וְעַד הָעוֹלָם makes Him coextensive with time but not outside it, although Ps. 90.2 lifts Him above the temporal; similarly in Is. 40.28 He is by contrast implicitly set above the limitations of time. In Gen. 21.33 אֱלֹהֵי עוֹלָם means God of *antiquity* only,² possibly to be linked with a Phoenician deity of *χρόνος ἀγήραος*. God's agelessness is brought out by עולם-phrases in connection with His manifestations and attributes — שֵׁם, אֱהָבָה, בְּרִית; so that Israelite institutions symbolic of the בְּרִית, by their own enduring nature, reflect His eternity. The Psalmists search for a formula to transcend time (eg. 61.5 (אֲנֹרָה בְּאֵלֶיךָ עוֹלָמִים); but since Hebrew never makes time ab-

¹ *Inspiration and Revelation in the O. T.*, chap. viii, p. 113.

² BDB, however, (עולם 2c. p. 762) understand this passage of the future.

stract, eternity is conceived as a piling up of limited time periods — e. g. the parallel of עולם and אלה דור (Ps. 105.8). Wheeler Robinson concludes³ that in the Old Testament thought time and eternity are not contrasted, eternity being the remoteness of time; but a growing difference of quality is reached through a transcendence of time in religious experience.

H. Sasse⁴ says that the use of עולם and עולמים meaning *unending* time makes a sudden appearance with Deutero-Isaiah, the earlier meaning being *distant* time, and, in connection with prepositions (לעולם and מעולם) *continuing* time. He points out that the use of the plural implies that עולם (singular) is still understood as a period of time, and that in Zoroastrianism the word *zrvan* has the dual meaning of time and eternity, although distinguished terminologically as *zrvan akarana* = eternity and *zrvan dareghōchvadhāta* = world duration. This speculation cannot be traced back beyond the 4th cent. B. C. E., and Sasse is of the opinion that it has a common, possibly Babylonian origin with the new usage of עולם by Deutero-Isaiah.

In later Hebrew עולם shifted its meaning to that of *the world*,⁵ and in rabbinic Hebrew and Aramaic the contrast of עולם הזה and עולם הבא is very frequent, and has Greek parallels in the N. T. Important for our present inquiry is the not so frequent but sufficiently attested use of עולם alone in the sense of *this life*. The phrase עולם טוב מן העולם is found in T. B. *Berakhoth* 17a in the name of R. Johanan († 279), possibly quoting R. Me'ir (late 2nd cent.).⁶ In Targum Jonathan to Cant. 1.7 we find למיפטר מן עלמא. In Syriac the expression ܡܢ ܕܗܝܠܐ is first attested from Eusebius⁷ (c. 260–c. 340).

³ *Loc. cit.*, p. 119 ff.

⁴ In Kittel's *Theologisches Wörterbuch zum N. T.* art. *αἰών*, p. 197 ff., see p. 201.

⁵ Perhaps in Eccl. 3.11 (BDB, p. 762, 2. k. But see Wheeler Robinson, *op. cit.*, p. 122).

⁶ Cf. Rabinovicz, *Dikduke Sopherim*, vol. 1 39b foot. Abraham Ibn Ezra's application of Gen. 12.4 to his own premonition of his approaching death (בצאחו מחרון אף העולם) may be compared (see Neubauer, *Mediaeval Jewish Chronicles*, I, p. 132, top).

⁷ H. E. IV, 4. The Syriac translation is of approximately the same date (see Burkitt, *Evangelion DaMepharreshe*, vol. ii, p. 166).

The regular equivalent of עולם in biblical Greek is αἰών,⁸ of which the primitive meaning is *period of existence, lifetime*. It is used meaning *eternity* from Plato (Timaeus 37D), who distinguishes it from χρόνος or empirical time. For Aristotle αἰών is the relative period of existence of any given object:⁹ since his world is eternal, the αἰών of the world is χρόνος ἄπειρος.¹⁰ Upon Plato's usage is dependent Philo's contrast of χρόνος or the life of the κόσμος αἰσθητός, and αἰών, the life of God and of the κόσμος νοητός.¹¹ The younger Stoics used αἰών for eternity, and Ἄιων as a personified God of eternity is known in Alexandrine mysteries (influenced by the Persian *zrvan akarana*)¹² from 200 B. C. E. This is important for LXX origins.

In the biblical usage with prepositions (ἀπ' αἰώνος, εἰς αἰῶνα etc.) the meanings *long time* and *eternity* merge and the relevant sense must be determined by the context. To emphasize the idea of eternity the plural αἰῶνες was sometimes used; it implies a view of eternity as composed of an infinite succession of limited time periods, αἰῶνες being occasionally used parallel to γενεαί as עולם and דור are used in biblical Hebrew. Intensification was also achieved by duplication (e. g. εἰς αἰῶνα τοῦ αἰῶνος), very rarely in combination with the plural (cf. targumic לעלם ולעלמי עולמי, e. g. Is. 45.17). The origin of such duplication is to be sought in an attempt to render adequately ועד לעולם etc., עד being the strongest Hebrew expression for unending future; it may have been suggested by עדי עד (εἰς

⁸ The summary of the development of αἰών here presented is drawn from H. Sasse's article cited above, n. 4. John of Damascus (8th cent.) gives a definition of the manifold meanings of αἰών, *de fide orthodoxa*, II, 1 P. G. L. 91, 861B. In the later (mediaeval) Judaeo-Greek bible versions עולם is still rendered by αἰών, generally with prefixed ν. e. g. εἰς ναιῶνα (Blondheim, *Les Parlers Judeo-Romans et la Vetus Italia*, p. 163).

⁹ De Caelo I, 279a, 25. Cf. Didymus Alexandrinus in Ps. 5.12 (P. G. L. 39, 1173C) οὐ τοῦ χρόνου τούτου εἰς αἰῶνα ἀγαλλιωμένοι where αἰών means temporal duration of human life as *opposed* to eternity. Cf. also Aeschylus P. V. 862 γυνή γὰρ ἄνδρ' ἕκαστον αἰῶνος στερεῖ.

¹⁰ Aristotle, *ib.* II, 283b, 29.

¹¹ For Philo's conception of time. see H. A. Wolfson, *Philo* I, 319-322.

See above p. 267.

[τὸν] αἰῶνα [τοῦ] αἰῶνος). From this duplication derives the Hermetic name 'Αἰὼν Αἰῶνος.

In the N. T. the tendency already apparent in the LXX to replace the simple αἰὼν by a complex αἰὼν-formula is carried further.

To predicate God's eternity, αἰὼν was used for such phrases as עולם, the genitive αἰῶνος representing the Hebrew construct (1 Tim. 1.17 ὁ βασιλεὺς τῶν αἰώνων). Into this genitive could be read other meanings of αἰῶνες, i.e. periods or 'worlds'. Hence arise more elaborate expressions such as ὁ δημιουργὸς καὶ πάτηρ τῶν αἰώνων (Clement Ep. I, 35; P.G.L., 277A). The theory of eternity behind such expressions as אלהי עולם is that God, as the Creator, must be superior and external to creation, which will in time come to an end; He must therefore transcend time. Human finite thought can express this only in terms of pre-existence and post-existence; but already later Judaism manifests attempts to contrast God's eternity to worldly time, e. g. in the Slavonic book of Enoch 65: time and creation will end together, giving place to the one αἰὼν, which as in Plato is here tantamount to the absence of time. The N. T. took over this conception of eternity together with its terminology, merely extending the belief in the pre-existence and post-existence of God to include also Christ.

The fact that αἰὼν like עולם and the Persian *zrvan* means two opposite things — God's eternity and the duration of the world — points back to the identification of the two; but in Judaism and Zoroastrianism belief in Creation led to a distinction being made between them. But the step from *world duration* to *world* is slight, and αἰὼν thus came to be used in the latter sense, parallel in meaning to κόσμος, e. g. by Paul. Similarly, as the Hebrew cosmic consciousness developed, the primitive expression עולם שמים gave place to העולם and עולם. The emphasis in this shifted from the meaning *eternity* to that of the *world*, rabbinic evidence after the first century being plentiful. This change precipitated the reinterpretation of the meaning of עולם and αἰὼν in the eternity formulas of God; and the plurals עולמות and αἰῶνες were subjected to the same revision. Once αἰῶνες in the sense of eternity is well established it may easily be

viewed as a series, each *αἰών* repeating the foregoing one. Here the oriental (Babylonian) idea of the perpetual cycle has affected biblical literature (e. g. Eccl. 1.9), and may actually have given rise to the Hebrew plural עולמות which communicated its meaning to *αἰῶνες*; although the theory of the cycle is fundamentally incompatible with the biblical idea of the uniqueness of the world, and with the contrast to its creation and ultimate disappearance upon which rests the idea of God's eternity. The Jewish and Christian attitude to the Stoic theory of world cycles will be touched upon below (p. 299).

Corresponding to the rabbinic עולם הזה and עולם הבא, the two *αἰῶνες* are frequently contrasted in the N. T. following Jewish apocalyptic (cf. Ethiopic book of Enoch 48,7). In these two worlds, in addition to the contrast between temporal and eternal there is a growing spatial contrast between visible and invisible; and in 4 Esdras *saeculum*, *mundus*, and *tempus* are used indifferently, corresponding to *αἰών*, *κόσμος*, and *καιρός* in the N. T.

In Virgil's 4th Eclogue and such expressions as *beatissimi saeculi* (Tacitus, *Agricola* 44) we may observe the syncretism of the oriental formulae and the Roman idea of the *saeculum*, which was derived from Etruria and will be considered briefly below.

There appears to be no evidence of the absolute use of *αἰών* in sepulchral inscriptions etc. by Jews or Christians in the meaning of *to die*, to correspond to the Hebrew and Aramaic נפטר מן העולם and the Latin *decedere de saeculo* (see p. 272). In a papyrus of the late second century¹³ (one of the *acta Alexandrinorum*), which tells how the Alexandrine envoy Appianus was condemned to death by the Emperor Commodus,¹⁴ Appianus on the way to his execution calls out Πωμα[α]ῖοι, θεωρήσατε ἓνα ἀπ' αἰῶνος ἀπαγόμ[ενο]ν. But the use of ἓνα instead of τινά seems to mark this phrase as an *acclamatio* — 'the man of the century' — rather than as the equivalent of the Hebrew expression.¹⁵ A somewhat

¹³ Oxyrr. I 33 verso col. III, 9 (p. 66).

¹⁴ See Mittheis-Wilcken, *Chrestomathie der Papyrusurkunde* I part 2, no. 20 p. 34.

¹⁵ See G. Björck in *Eranos* 46 (1948) p. 72-4; also M. P. Charlesworth, *Pietas and Victoria*, in *JRS* xxxiii (1943), p. 5, and cf. Tertullian, *de Spectaculis* 25 (P. L. I, 657A).

extensive search¹⁶ has failed to discover a single instance of a true analogy in Greek to our phrase, which is surprising in view of its appearance in Latin. Prof. A. D. Nock draws attention to the activity of Christian writers in using and reminting words to bear fresh meanings, conspicuously in Latin.¹⁷

The main Latin equivalent for *αἰών* and עולם is *saeculum*,¹⁸ the original meaning of which is a *race* of men or animals; it is used especially in this sense by Lucretius. Thence it comes to mean men of a certain period, i. e. an age — *saeculum aureum* etc. As a fixed period of time it was defined variously as 30, 110, or 1000 years.¹⁹ Censorinus in his *de die natali*²⁰ defines *saeculum* as 'spatium vitae humanae longissimum partu et morte definitum'; the *saeculum naturale* is thus the opposite of *γενεά*. He quotes the Etruscan *libri rituales* to the effect that the first *saeculum* of a city is determined by the death of the last person born on the day of its foundation; the next is determined by the death of his last survivor. Since man might be unable to ascertain this by himself, the end of a *saeculum* is indicated by divine portents. The *saeculum civile* was originally taken as the statutory period of 100 years, until changed by Varro to 110 for future reckoning.

In the sense of an indefinite long time *saeculum* is used from Cicero and Virgil, but mainly in this sense in ecclesiastical Latin, as a rendering of עולם or representing the same conception of time and eternity; thus according to its context it means the one or the other. In the sense of *the profane world* it is found in Cyprian (252 C. E.), in Hymns attributed to Ambrose († 431),

¹⁶ E. g., *Corpus der Griechisch-Christlichen Inschriften von Hellas*, vol. 1, ed. Bees, Creaghan and Raubitschek in *Hesperia* XVI (1947), p. 16 ff. etc.

¹⁷ In JBL. LXVII (1948), p. 258. The whole subject is discussed by Christine Mohrmann, *Le Latin commun et le Latin des chrétiens* in *Vigiliae Christianae* I (1947), 1, p. 1 ff.

¹⁸ Forcellini, ed. Furlanetto, 1871, vol. v, p. 295. Nilsson in Pauly-Wissowa *Neue Bearbeitung* 2e Reihe 2es halbband, 1696 ff.

¹⁹ Servius *ad Aen.* 8, 508; Varro *de lingua Latina* 6,2 and Festus *de verborum significatione* ed Müller p. 329.

²⁰ 17, 2, 5, and 1.

and in the 5th century in Prudentius, Paulinus Nolanus, and Sedulius. But that it had long been so used in common speech is shown by the phrase *recedere* or *exire de saeculo*, corresponding to the Hebrew נפטר מן העולם found in funeral inscriptions from 235 C. E. onwards.²¹ In Judaeo-romance dialects *saeculum* survives both in this sense (e. g. in France *saygle* etc.) and in the sense of *for ever* e. g. in Spanish, *á siglos*). D. S. Blondheim²² cites many forms.

Aeternus,²³ which with *sempiternus* forms the most frequent alternative to *saeculum*, is through *aevum* philologically cognate to αἰών (i. e. αἰFών). In the sense of *lasting a lifetime* it is used from Plautus and Ennius to Justinian, but occurs far more frequently with the meaning *lasting an infinite time*, i. e. eternal, this usage being attested from Accius onwards. In the pagan religion it is restricted to the emperor cult and to divinities derived by identification from Syria, i. e. representing the Aramaic עלמא.²⁴ The *aeternitas* (sc. of Rome) is named on the coins of Augustus and appears as a goddess first on coins of Vespasian.^{24a} By Christian writers it is used from Tertullian with reference to God; references from the OL given by the *The-saurus*, in which it corresponds to עולם in the Hebrew text, are Gen. 49.26; Deut. 33.15; Ps. 105.10; 111.9. Of reward and punishment, etc. *after death* it is used from the 1st cent. B. C. E.²⁵ and by Christian writers from Tertullian. Of institutions etc. it is used from the Twelve Tables, and as an imperial title in inscriptions from Constantine. *Aeternum* as a substantive is in Cicero, and *in aeternum* occurs from Lucretius onwards. *Aeternus* is used to represent the adjective αἰώνιος, according to Augustine, *saecularis* being avoided as meaning 'quae in hoc saeculo sic

²¹ Joh. Bapt. de Rossi, *Inscriptiones Christianae Urbis Romae*, vol. 1, no. 7 p. 12; *ib.* no. 33 p. 33 (317 or 330 C. E.)

²² *Op. Cit.* (see note 8), p. cxxv and 103.

²³ *Thesaurus Linguae Latinae*, I, 1142 ff.

²⁴ Cumont, *Rev. Archeol.* 1888 I, 184 ff. and in Pauly-Wissowa I, 696.

^{24a} The phrase "Eternal City" for Rome derives from the Latin *Urbs Romae Aeterna*, e.g. CIL III 1422, VII 320, etc. (*Thesaurus L.L.* I, 1146, 38). The first passage recorded by the *Thesaurus* is from Tibullus (2,5,23), 'Romulus aeternae nondum formaverat urbis Moenia.'

²⁵ Rhetor *ad Herennium* 3, 5, 9 ed. Marx 1894.

aguntur ut brevi etiam tempore transeant . . . αἰώνιον, autem . . . aut non habet finem aut usque in huius saeculi tenditur finem'.²⁶

*Sempiternus*²⁷ is not derived from *semper*²⁸ and *aeternus*, but from *semper* (*sempiter*) on the analogy of *aeternus*; for the termination, cf. *internus* from *inter* etc. Forcellini cites instances mainly from Plautus and Cicero; *sempiternum* as a substantive is cited from Ambrose, but the adverb *sempiternum* is found already in Plautus. The difference between *sempiternus* and *perpetuus* is given by Isidore († 636):²⁹ *sempiternitas* is properly to be postulated of God, *perpetuitas* of angels and the souls of men; 'primum enim semper fuit, nec umquam esse desinit, alterum esse coepit, sed esse perpetuum non desinit'.

Before proceeding to investigate Jerome's attitude to eternity and its reflection in his renderings of עולם, we may briefly notice the use of αἰών by Origen³⁰ as an example of patristic usage; the criticism which Origen's theology aroused is of importance for the understanding of Jerome himself. Origen said that *in saecula*, *in aliud saeculum*, *saecula saeculorum* all mean finite time, however long, unlimited time being expressed by the addition *et adhuc*.³¹ In the 6th century Leontius of Byzantium said that the School of Origen understood αἰών of limited time, and that therefore, according to them, αἰώνια κολάσις was not to be understood literally as meaning *eternal* punishment.³² The controversy hinged upon the denial of eternal punishment by

²⁶ *Civ. Dei* 16, 26 (P. L. 41, 506). See further references in *Thesaurus L. L. l. c.*, line 22 ff.

²⁷ Forcellini, vol. v, p. 439 ff.

²⁸ A. Ernout and A. Meillet, *Dictionnaire Etymologique de la Langue Latine*, ed. 1939, p. 922.

²⁹ Forcellini s. v. *perpetuitas*; Isidore, *Differentiarum* I, 496 (P. L. 83, 59). Cf. Boethius († 526) *de Consolatione Philosophiae* v Prosa 6 (P. L. 63, 860): 'Platonem sequentes Deum quidem aeternum, mundum vero esse perpetuum.'

³⁰ Bishop Pierre Daniel Huet († 1721) analyses the meaning of αἰών in his *Origeniana* II, Cap. 2 Quaest. xi § 26 (P. G. L. 17, 1043 ff.), in which the following quotations are assembled.

³¹ *Hom. in Ex.* 6, n. 13 (P. G. L. 12, 340B); cf. *Principia* II n. 5 (P. G. L. 11, 194A).

³² *De sectis* x, P. G. L. 86, 1265D.

Origen; in his commentary in *Johann.* 28 § 7³³ he is able to avoid the issue, since the word *αἰώνιος*, for him the limiting feature, does not occur. Indeed in *contra Celsum* vii³⁴ he appears to use *αἰών* in the sense of *eternal*; but his general usage is indicated by Augustine, who writing *contra Priscellianistas et Origenistas* says³⁵ however equivocal *αἰών* itself may be, the adjective *αἰώνιος* is used in the sense of *eternal* only. Origen limited the punishment of the wicked to 1000 years, in which connection he says that they will be tortured *εἰς τοὺς αἰῶνας τῶν αἰώνων* using *αἰών* in the sense of the 7 ages.³⁶ Thus we see that the controversy over the relationship of *αἰών* to eternity which had raged in the century proceeding Jerome's literary activity was still a live one in his own day.

As Jerome's careful differentiation of the meaning of *αἰών* according as to whether it is applied to God or man will show, the distinction between eternity and a long time was quite clear in his mind. The following quotations from his exegetical work will make this clear.

In his commentary on Philem. 15 (*τάχα γὰρ διὰ τοῦτο ἐχωρίσθη πρὸς ὥραν, ἵνα αἰώνιον αὐτὸν ἀπέχῃς*: Vulg. . . . *discessit ad horam, ut aeternum illum reciperes*) *αἰώνιος* is certainly understood in the meaning of *eternal*. He comments:³⁷

'Quod autem, *ad horam*, junxit, horam pro tempore debemus acceperere. Ad comparationem enim aeternitatis, omne tempus breve est. *Ut aeternum illum reciperes*. Nullus aeternus dominus servi sui . . . Onesimus vero qui ex fide Christi factus aeternus est, aeterno Philemoni . . . iam non servus, sed frater coepit esse . . . aeternus'.

Jerome's attitude to eternal punishment is positive, although in some passages he laid himself open to the charge of Pelagianism. On Matth. 25.46 (*εἰς κολάσιν αἰώνιον . . . ζῶν αἰώνιον*, Vulg. *aeternum . . . aeternam*) he comments:³⁸ 'attende quod et

³³ P. G. L. 14, 697.

³⁴ Quoted by Huet, P. G. L. 17, 1047A.

³⁵ Cap. 6. P. L. 42, 673.

³⁶ P. G. L. 17, 1046D.

³⁷ P. L. 26, 614A.

³⁸ *Ib.* 190B; cf. in *Dan.* 12.2 (P. L. 25, 576C) on *alii in vitam aeternam, alii in opprobrium, ut videant semper*.

supplicia aeterna sint, et vita perpetua metum deinceps non habeat ruinarum'. Our analysis below will show that Jerome distinguishes *perpetuus* slightly from *aeternus*, since he does not apply *perpetuus* directly to God,³⁹ but there can scarcely be any differentiation intended here, and Vallarsi's comment *in loc.* asserts confidently that Jerome here vindicates himself of the charge to which he had laid himself open at the end of his commentary on Isaiah and in his *adversus Pelagianos*. In the first of these passages⁴⁰ Jerome quotes the proof-texts adduced by those who would deny eternal punishment, but as Vallarsi points out he himself distinguishes two classes — those condemned to eternal punishment, and those, including sinful Christians, who are subjected to temporary purgatory:

'Et sicut diaboli et omnium negatorum atque impiorum . . . credimus aeterna tormenta: sic peccatorum et impiorum et tamen Christianorum, quorum opera in igne probanda sunt atque purganda, moderatam et mixtam clementiae sententiam iudicis (I Cor. 3, 13).

In the *adversus Pelagianos*⁴¹ Jerome quotes Ps. 104.35 as a proof-text against eternal punishment for the *iniqui*, יְחַמּוּ חַטָּאִים there being taken to mean '*a peccato et iniquitate desistere*' (in agreement with the famous exegesis of Beruriah the wife of Rabbi Me'ir).⁴² Although the *impius* is necessarily *iniquus* and *peccator*, the proposition cannot be reversed. For the latter class, as Ps. 32.10 shows, there is remedial purgatory, but not eternal punishment. Again in Ps. 1.5 the *impii*, already prejudged to perdition, are distinguished from the *peccatores*. In Romans 2.12 those who have sinned without the Law are the *impii*, who will perish eternally; but the *in lege peccator* is a believer in God who will be judged through the law and will not perish. Jerome continues:

'Si autem Origenes omnes rationabiles creaturas dicit non esse perdendas, et diabolo tribuit poenitentiam, quid ad

³⁹ Cf. Isidore, quoted above, p. 273.

⁴⁰ P. L. 24, 676D-678.

⁴¹ I § 28, P. L. 23, 520 ff.

⁴² Bab. Talmud *Berakhoth* 10a.

nos, qui et diabolus et satellites ejus omnesque impios et praevaricatores dicimus perire perpetuo, et Christianos si in peccato praeventi fuerint, salvandos esse post poenas?’

Vallarsi states that Jerome is here combatting the Pelagian refusal to differentiate between degrees of sin; there are, he writes, numerous other passages indicating that Jerome changed his mind and believed in eternal punishment for sin for Christians, against the few which imply a belief that Christians are subject to purgatorial punishment only.

Jerome is apparently prepared to believe in a series of *saecula*, although their aggregate does not constitute eternity, which is something which transcends them all; although his own conception of eternity itself labors under the same disadvantage as that achieved by any other finite brain, and seems to be an infinitely magnified version of the *saeculum*, since he is prepared to talk of *quantas aeternitates* in the plural. But the *saeculum* is something essentially finite, and God’s existence is external to it:

‘Deus, ante aeterna saecula, aeternam sponderit vitam: ex quo . . . factus est mundus, et per vices noctium ac dierum . . . tempora constituta sunt. Unde quidam philosophorum non putant esse tempus praesens: sed aut praeteritum, aut futurum; . . . Ante haec igitur mundi tempora, *aeternitatem quamdam saeculorum* fuisse credendum est, quibus semper cum Filio et Spiritu Sancto fuit Pater: et ut ita dicam, *unum tempus Dei, est omnis aeternitas: immo innumerabilia tempora sunt, cum infinitus sit ipse qui ante tempora omne tempus excedit* . . . Quantas prius aeternitates, quanta tempora, quantas saeculorum origines fuisse arbitrandum est, in quibus angeli . . . servierint Deo: et absque temporum vicibus atque mensuris, Deo iubente, substiterint’.⁴³

Here God is clearly outside any series of *saecula*, even if infinite in number. As *saeculorum origines* shows, a *saeculum* is a clearly defined period of time; this is brought out even more clearly in the following:

‘Quidam dicunt eundem esse sensum in *saeculis saeculorum* quem in *sanctis sanctorum* etc. . . . et quam habent differentiam . . . sancta quae sanctorum comparatione sunt sanc-

⁴³ *In Ep. ad Tit.* 1 P. L. 26, 559-60.

tiora, ... eamdem habere et saeculum, quae saeculorum collatione sunt [*sic*] saecula. *Praesens itaque saeculum ita edisserunt, ut dicant ex eo tempore qui coelum et terra sunt condita, et currere usque ad consummationem mundi, quo Christus iudicaturus est omnia.* Revocant quoque ultra, et in priora promovent gradum, de praeteritis et futuris saeculis disputantes, bona an mala sint, an futura sint'.⁴⁴

For Jerome *saeculum* means first and foremost the present dispensation of the world, and a hostility to spiritual values:

'Res enim saeculi, et omnia corpora, secundum Epicurum, per momenta fluunt et abeunt... Nihil enim fugacius saeculo rebusque saeculi'.⁴⁵

Elsewhere he writes:⁴⁶

'Saeculum quippe frequenter pro his quae in saeculo versantur, accipitur: *Ut eriperet nos de praesenti saeculo nequam* (Gal. 1.4 τοῦ αἰῶνος τοῦ ἐνεστώτος). Et in alio loco: *ut ostenderet in venturis saeculis* (Eph. 2.7) pro eo quod est, his omnibus quae in supervenientibus saeculis futura erant'.

Finally, and perhaps most emphatically, on Tit. 2.12 ff.:⁴⁷

'Saecularia ergo desideria (Greek κοσμικὰς ἐπιθυμίας) sunt, quae a mundi istius principe suggeruntur: et cum sunt saeculi, cum saeculi hujus nube pertranseunt'.

We may now turn to examine Jerome's translation of עולם where it occurs in the biblical text. That he recognizes the double meaning of *long time* and *eternity* is shown by his comment on Ez. 26.21:⁴⁸ 'et ultra, inquit, non eris in sempiternum: sive ut in Hebraico LOLAM, et in Graeco αἰών, scribitur, unum saeculum significat, iuxta illud Isaiae, qui post septuaginta annos dicit Tyrum restituendam in integrum statum (Is. 23.17)'. Jerome

⁴⁴ In Ep. ad Galat. 1, 4 P. L. 26, 317. Cf. Origen in Cant. Prologus P. G. L. 13, 77A.

⁴⁵ In Amos 6.2 ff., P. L. 25, 1061.

⁴⁶ In Ep. ad Ephes. 3, 8-9 P. L. 26, 483A; cf. in Eccl. 3.11 (העלם = mundum) allegedly from a Jewish informant (P. L. 23, 1038).

⁴⁷ P. L. 26, 586. Cf. also adv. Pelagianos III || 12, P. L. 23, 582C: further references in the index to Jerome, P. L. 30, 1063-4, s. v. *saeculum*.

⁴⁸ P. L. 25, 246B.

mentions a Hebrew spelling device to differentiate the two meanings, which raises interesting ideas as to his own Hebrew text: 'Quaerendum quoque quid inter *saeculum saeculi*, sive *saecula saeculorum*, et ubi pro brevi temporis spatio, ubi pro aeternitate ponatur: quia in Hebraeo *saeculum* id est OLAM, ubi VAV litteram positam habuerit, aeternitatem significat, ubi vero sine VAV scribitur annum quinquagesimum, quem illi Jubilaeum vocant'.⁴⁹ He cites an example of each case, the first Ex. 21.6 where he says the slave's service לעלם is to be terminated by the Jubilee year (here *in saeculum* in the Vulgate replaces OL *sempiternum*); and Deut. 23.4 and 7 where hostility to Ammonites and Moabites and the exclusion from the congregation is prescribed עד עולם and לעולם. The exegesis of Ex. 21.6 is in accordance with the Jewish tradition, although not noted by Ginsberg:⁵⁰ the Targum Pseudo-Jonathan actually renders לעלם here by עד יובלא. Rashi says that this is a possible meaning, and Ibn Ezra says that it is the correct one, but he is criticized by Nahmanides who insists that לעלם must be taken literally. In the Mekhilta⁵¹ there is a discussion as to the meaning, and Lev. 25.10 is used to prove that it means 50 years. The continuation in the name of R. Judah the Prince is, as Weiss shows in his note, an argument for extending this meaning of לעולם to other occurrences, without regard to spelling: רבי אומר בא וראה שאין העולם: אלא חמשים שנה שנ' ועבדו לעלם עד היובל הא כיצד הגיע היובל יצא מת הארון יצא. The Jewish sources do not, however, base the argument on the fact that לעלם is spelled defectively: in fact according to

⁴⁹ On *in Gal.* 1, 4 (P. L. 26, 315) Vallarsi appends a long note countering criticism which would make Jerome here imply that עולם in Deut. 23.4 and 7 (*plene*), which refers to hostility to the Ammonites and Moabites and their exclusion, is to be terminated by the Jubilee. He suggests that this impression has been caused by Jerome's continuing (317A) after citing that passage as an example, 'quia omnis dura conditio Jubilaei solvebatur adventu.' If it is assumed that these words are displaced from the previous sentence, and that they should in fact follow, '... usque ad annum quinquagesimum' (which refers to the slave's service לעלם in Ex. 21.6), the passage reads smoothly.

⁵⁰ *Die Haggada bei den Kirchenvätern, Exodus*, in the *Livre d'hommage à mémoire de S. Poznanski*, p. 199-216 (Warsaw, 1927).

⁵¹ *Mishpatim* § 2 ed. Weiss 83b. Parallel in Yalkuṭ Shim'oni *Mishpatim* § 317. See also T. B. *Kiddushin* 15a foot and 21b top.

the Massoretic text לעולם is the normal spelling in the Pentateuch, לעולם occurring only Ex. 19.9 and Deut. 23.7; outside the Pentateuch the *plene* spelling is normal for all forms of the word, there being 15 cases only spelled defectively. Jerome is presumably repeating Jewish exegesis, and part of the same or a similar tradition is to be found in the Midrash חסר ויתר,⁵² printed from a Munich MS by A. Berliner in his פליטת סופרים, p. 36 of the Hebrew: כל לעולם שבמקרא חסר חוץ מב' (שמות י"ט, ט') וגם בכ' יאמינו לעולם... ושוב (דברים כ"ז, ו' וגם עזרא י' י"ב [?"צ"ל ג' י"א?]) לא תדרוש שלומם וטובתם כל ימך לעולם מלא לומר שאע"פ שהם מתגיידין שנאה טמונה בלבם. The Siphre,⁵³ on the other hand, attempts to equate לעולם (v. 4) by the hermeneutic rule of *Gezerah Shavah* with the 10th generation mentioned immediately before in connection with the law of the bastard. It need scarcely be said that Jerome does not in his translation in general differentiate between עולם spelled *plene* or defectively in the Massoretic text, nor does the evidence suggest that his distinctions are based upon a Hebrew text thus differentiated.

The following detailed analysis will show, broadly speaking, that when עולם in the past refers to God, Jerome renders it normally by *aeternus*; for man he uses *antiquus*, *saeculum*, etc. In the future he will use *aeternus* of man as well as of God, and

⁵² Cf. Recension 2, published from a Genizah fragment by S. A. Wertheimer in מדרשים part III p. 11 (Jerusalem 1895). In a further text published separately by him (Jerusalem 1930) from another Genizah fragment this passage is not mentioned; but the *plene* spelling of לעולם in Ez. 37.25 is commented on (p. 50, no. 139). Wertheimer shows (1930, introduction p. 1 ff.) that this Midrash was known to Hai Gaon († 1038) who considered it old (p. 2); and in his introduction to מדרשים כתבי יד (Jerusalem 1923) p. 4 he says that it was known to the redactor of the Spanish recension of the הלכות נדולות (ed. Hildesheimer p. 222 foot). This recension is thought to go back to Simeon Kayyara, who lived in the early 9th cent. (see *Jewish Encyclopedia* s. v.); but the older (Babylonian) recension of the הלכות נדולות does not contain this Midrash in loc. (cf. ed. A. S. Traub, Warsaw, 1874 p. 90 col. b (beginning of מדרש צרכי צבור). A. Marmorstein in his edition of the מדרש (London 1917) carries back the authorship to a pupil of Yehudai Gaon, and thinks that it was composed in Babylonia after 760 (p. viii of the English, and further p. י"א-י"ב of the Hebrew introduction).

⁵³ *Ki These*, § 249, ed. Friedmann 120a. Parallel in Yalkuṭ Shim'onī

will not use *perpetuus* of God. He tends to replace (or qualify) *saeculum* when speaking of God, and also of man in his relations to God, especially the davidic King etc.

In the Psalter *juxta Hebraeos* he will in no case tolerate a *saeculum* phrase, whether of God or man, unless it contains also a reinforcing *sempiternum*, *aeternum*, *jugiter*, etc.; the only exceptions, where the phrase in *saeculum et in saeculum* is deliberately chosen (in one case actually rejecting an *aeternum-saeculum* combination in the Gallican Psalter), are significantly Ps. 104.5 and 148.6, in which the existence of the earth and the heavenly bodies are under consideration.

All occurrences of עולם in the Old Testament have been examined. The hexaplaric material, which is not of great significance, has been examined for all instances of עולם meaning past (I), all cases of the phrase מן העולם עד העולם (II (6)), and in all cases of the future where the Psalter *juxta Hebraeos* emends the Gallican Psalter (III (3)). It has not been considered necessary to collate the Old Latin version and the Roman Psalter except for instances in the past referring to God (I [B]) and instances where *aeternus* is thus used, abnormally, with a secular reference (I [A] (1) to (4)), and where in the Psalter *juxta Hebraeos* the same word or a virtual synonym (*aeternus* and *sempiternus*) has been used as was used in the Gallican Psalter (III (1) and (2)). In addition to the usual symbols the following are employed: OL = the Old Latin Version (*Biblorum Sacrorum Latinae Versiones Antiquae seu Vetus Italica*, ed. P. Sabatier Rheims 1743 and Paris 1751): J^h = Psalter *juxta Hebraeos* (critical edition by J. M. Harden): J^g = the Gallican Psalter, as printed in the text of the Vulgate: J^r = the Roman Psalter (text in Migne, P. L. 29, 120 ff., the column on the right of the page). References are always given according to the Hebrew enumeration.

According to Duff,⁵⁴ Jerome revised the Old Latin Psalter in Rome in 382, and translated the Psalter *juxta Hebraeos* in Palestine in 386; between 390 and 405 he was at work on the rest of the Hebrew Bible.

⁵⁴ J. Duff, *The Letters of St. Jerome*, p. 16.

I Jerome's rendering of עולם where the meaning is *past*.⁵⁵

[A] *Secular instances* (this includes a few passages where God is concerned in the action, but the action itself is contingent upon the existence of a finite object, e. g. Is. 63.9 Vulg. *saeculi*.)

עולם, מעולם, עולמים are rendered normally by (1) *antiquus*; (2) *saeculum* (cf. also Eccl. 3.11 העולם = *mundum*); (3) *vetus*; (4) *semper*, only Is. 64.4 בהם עולם וְנִשָּׁע (text of Heb. dubious) *in ipsi fuimus semper, et salvabimur*. עולם = *past* occurs in Psalms apart from 24.7 and 9 and 77.6, considered below, only in 143.3; here J^h substitutes *antiquos* for *saeculi*.

In addition, מן העולם is rendered *ab initio* and *a principio*. In Prov. 23.10 עולם is rendered *parvulorum*, i. e. עולם; contrast ib. 22.28. In Jer. 2.20 מעולם שברתי עולך is rendered *a saeculo confregisti jugum meum* (i. e. 2nd fem. sing.; so understood by Rudolph in Kittel BH³).

For secular instances of עולם in the past, *aeternus* is used abnormally in the following passages, in each of which its presence can be accounted for.

(1) Ps. 77.6 שנות עולמים; J^s (= J^r OL) *aeternos*, properly rejected by J^h for *annos pristinos*. LXX ἑτη αἰώνια, Σ ἀπ' αἰώνος. For the differentiation, cf. Hab. 3.6 גבעות עולם = *montes saeculi*, but הלכות עולם לו (of God) = *itineribus aeternitatis eius*.⁵⁶

(2) Jer. 20.17 ורחמה הרח עולם (of Jeremiah's mother) *et vulva eius conceptus aeternus* (OL *infernus sempiternus*; LXX ἈΣ use

⁵⁵ BDB p. 761 עולם 1 lists all passages. Surviving hexaplaric renderings of עולם-past are uninformative, but the following passages may be noted: Gen. 6.4 Σ αἰωνίως (used by Σ only); 49.26 LXX ἀενάων. In Hab. 3.6 ἄλλος has νάπαι ἐκ τοῦ αἰώνος, αἱ ὁδοὶ αἱ ἐξ ἀρχῆς. In the New Testament the phrases *a saeculo* (Luke 1.70; John 9.32; Acts 3.21; 15.18), *a saeculis* (Eph. 3.9; Coloss. 1.26), and *ante saecula* (1 Cor. 2.7) are all repeated in the Vulgate from the Old Latin.

⁵⁶ Cf. Jerome's comment in loc. (P. L. 25, 1315C ff.): '*Contriti [colles] . . . ab itineribus aeternitatis ejus, id est. Dei, quia aeternitas illius ad nos venire dignata est, sive quod semper a principio mundi usque ad incarnationem suam venerit ad sanctos . . . et aeternum ejus iter incurvaverit . . . Porro secundum LXX . . . sempiternum . . . iter Dei respiciens ad ea quae suus sermo procedit, et fortius collibus saeculi, consumet et destruet eos.*'

aiōnios, see Field's *Auctarium* to Hexapla, p. 44). Perhaps *aeternus* here is due to the negative view taken of the case; had Jeremiah's retrospective hope been capable of fulfilment, he might never have been born and become subject to, or at least conscious of, the existence of time; his embryonic life being regarded as of a different order. Jerome's comment on these words (P. L. 24, 807D) is, "quae omnia dicuntur hyberbolice."

(3) Micah 5.1 מִמָּךְ לִי יֵצֵא מוֹשֶׁל בְּיִשְׂרָאֵל וּמוֹצְאוֹתָיו מִקֶּדֶם מִיָּמֵי עוֹלָם *egressus eius ab initio, a diebus aeternitatis*, OL *ex diebus saeculi* (LXX ἀπ' ἀρχῆς ἐξ ἡμέρων αἰῶνος). *Aeternitatis* is here deliberately introduced because of the doctrine of the pre-existent Messiah (cf. Jerome's comment in loc. P. L. 25, 1197C).

(4) Ps. 24.7 and 9 פָּתְחֵי עוֹלָם J^g (= J^r OL) *portae aeternales*, J^h *sempiternae*; LXX ἈΣΘ all use αἰῶνος. In Jerome's sermon *in die dominica Paschae*⁵⁷ this passage is quoted in connection with Ps. 118.19, as having been spoken by the angels preparing for the return of Jesus to Heaven after the Resurrection. Jerome therefore may have had the gates of heaven in mind, and it should also be noted that according to Jewish Haggadah the Temple existed prior to the creation (Baraita in T. B. *Nedarim*, 39b). But in any case it is perhaps surprising that the conception was allowed to stand in the *Psalterium iuxta Hebraeos*, which as its preface avows was produced for controversial purposes (*aliud sit in Ecclesiis Christo credentium Psalmos legere, aliud Judaeis singula verba calumniantibus respondere*).⁵⁸

[B] אֵל עוֹלָם referring to God (also אֵל עוֹלָם Gen. 21,33, אֱלֹהֵי עוֹלָם Is. 40.28).

The regular equivalent is *aeternus* (Is. 40.28 *sempiternus*; Is. 42.14 הַחֲשִׁיתִי מֵעוֹלָם אַחֲרֵי־יָמַי *tacui semper, silui*, where LXX according to Qmg has ἐσιώπησα* ἀπ' αἰῶνος+μή καὶ ἄει σιωπήσομαι; so 'A; LXX cod. B, ΣΘ omit ἀπ' αἰῶνος, presupposing הַלְעוֹלָם).

⁵⁷ G. Morin, *Anecdota Maredsolana* III, 2. p. 416 l. 14; also in *Isa.* 63 (P. L. 24, 610C) and in *Obad.* 1 (P. L. 25, 1100D); cf. Ambrose *de fide* iv, 1 § 9 and 12 (P. L. 16, 619BC).

⁵⁸ P. L. 28, 1126A.

In the following instances *aeternus* is not used.

(1) Ps. 25.6 וחסדיך כי מעולם המה. J^s *a saeculo* (= OL J^r), corrected in J^h to *ex sempiterno*.

(2) Ps. 93.2 מעולם אחה. J^s *a saeculo* (= OL J^r), J^h *ab aeterno*. LXX Σ ἀπο (τόν) αἰῶνος.

(3) Ps. 119.52 זכרתי משפטך מעולם. J^s *a saeculo* = J^h (= OL J^r). Can this be because outside the *saeculum* there can be no sphere of activity for God's משפטים, which cannot therefore be said to have existed *ab aeterno*? The same, however, might be said of וחסדיך in (1).

(4) Ps. 55.20 וישב קדם יישוב קדם may also be noticed here; J^s (= OL: J^r + *et manet in aeternum*) *qui est ante saecula*, J^h *qui iudex est ab initio*. LXX πρὸ τῶν αἰώνων, Σ ἀπ' ἀρχῆς. *Saecula* might have stood, protected by *ante* (cf. Ecclus. 24.9 below), but the change may be due to Σ or to the introduction of *iudex*, as in (3).

(5) Ecclus. 24.9 מועלם מראש בראי, of Wisdom. LXX πρὸ τοῦ αἰῶνος ἀπ' ἀρχῆς ἔκτισέ με, Vulg. (OL) *ab initio et ante saecula creata sum*. *Saecula* is unobjectionable with *ante* but the order *ab initio et ante saecula* is surprising compared with Hebrew and LXX. Prov. 8.23 מועלם נסכתי מראש מקדמי ארץ may be compared: Vulg. *ab aeterno ordinata sum, et ex antiquis, antequam terra fierit*, OL *ante saeculum fundavit me: in principio, antequam terram faceret*, where the same differentiation is insisted on in the new version as in Hab. 3.6, quoted above [A] (1).

(6) Jer. 31.2 ואהבת עולם אהבתיך *et in charitate perpetua dilexite* (OL *aeterna*). *Aeternus* is avoided as in (3), since the object in אהבתיך postulates the action taking place within finite time. This passage might therefore equally be included among the secular occurrences (see note at the beginning of [A] above). Jerome comments *in loc.* (P. L. 24, 872D) "in charitate perpetuo dilexit eum quae nullo fine delebitur."

(7) Is. 46.9 זכרו ראשונות מעולם כי אנכי אל ואין עוד *i. e.* former acts. *Recordamini prioris saeculi, quoniam ego sum Deus*. ראשונות, as falling within time, postulates *saeculum* as in (3), but the reason for *prioris saec.* is not apparent (LXX τὰ πρότερα ἀπὸ τοῦ αἰῶνος OL *priorum a saeculo*). Jerome in his commentary (P. L. 24, 452C) paraphrases "ab initio considerate mundi."

(8) Is. 57.11 הלא אני מודעה ומעלים. *Quia ego tacens et quasi non videns*; i. e. recognizing ומעלים with LXX 'A Σ OL, which Kittel BH³ restores instead of the MT.

(9) Is. 63.16 אתה אבינו גאלנו מעולם שמך. *Tu Domine, Pater noster, redemptor noster, a saeculo nomen tuum. A saeculo* is difficult to understand here; LXX has ἐῦσαι ἡμᾶς ἀπ' ἀρχῆς ('A αἰῶνος), i. e. גאלנו, imperative = OL. Jerome has no comment.

(10) Is. 63.19 היינו מעולם לא משלה במ. This is classified by BDB with the above passages^{s8a} as referring to God's Dominion. Vulg. (=OL) however takes it of Israel (*facti sumus quasi in principio, cum non dominareris nostri* = LXX ὡς τὸ ἀπ' ἀρχῆς Σ ὡς ἀπ' αἰῶνος); so that *in principio* is correctly used. In his commentary in loc. (P. L. 24, 620C) Jerome paraphrases as follows: "Et facti sumus sicut in principio antequam vocaremur in Abraham, et dum essemus in Aegypto, non habentes Deum, nec reges, nec principes, nec Prophetas, nec Legem mandatorum Dei."

II The rendering of עולם where the meaning is future.

In this sense Jerome's normal word is *sempiternus*, with *aeternus* as a frequent alternative. Eccl. 12.5 בית עולמו *domum aeternitatis suae* may be noted.

Other words used are:

- (1) *perpetuus*. For [a] עולם (חקת) חק e. g. Ex. 12.17. 13 times.
- [b] לעולם e. g. Ex. 19.9, Ps. 5.12 and 41.13 (both J^h). 16 times.
- [c] עולם[ה] ער e. g. Ezek. 27.36. 5 times.
- [d] בריח עולם only Is. 61.8.
- [e] שממות עולם only Jer. 51.62.
- [f] צור עולמים only Is. 26.4.

The following passages may be noticed. Dan. 12.3 ועד לעולם *in perpetuas aeternitates*; Ezek. 46.14 ועד לעולם *juge atque perpetuum*; Ps. 48.15J^h ועד לעולם *in saeculum et in perpetuum*.

- (2) *semper*. †For [a] לעולם. Ezek. 43.9, Ps. 119.144J^h, 1 Chron. 17.27.

[b] נאלה עולם. Lev. 23.32.

[c] יושב עולם. Ps. 61.8J^h.

[d] Dan. 12.2 אלה לחיי עולם ואלה לחרפות לדראון
עולם *alii in vitam aeternam, et alii in
opprobrium ut videant semper.*

(3) *jugiter*. †For [a] ער עולם. I Sam. 1.22.

[b] לעולם. Prov. 27.24.

[c] עולם חמיר. Ezek. 46.14 *juge atque perpetuum.*

Note also Ps. 9.6 ועד J^h *in sempiternum et jugiter.*

(4) nequaquam *ultra jam vivam*, Job 7.16 לא לעלם אחיה.

(5) phrases with *saeculum*.

For [a] עולם ועד. i. *in saeculum saeculi*, e. g. Ps. 45.7J^g.

ii. *in aeternum et in saeculum*, e. g. Ps.
10.16J^g.

iii. *in saeculum et in saeculum saeculi*, e. g.
Ps. 21.5J^g.

iv. *in aeternum et in saeculum saeculi*, e. g.
Ps. 48.15J^g.

v. *in saeculum et in saeculum* Ps. 104.5J^h,
also 148.6J^h (לעד לעולם) see p. 289 [f]
4 and [g] 1.

[b] לעלם, לעולם. i. *in saeculum*, e. g. Ex. 21.6.

ii. *in saeculum saeculi*, e. g. Ps. 37.27J^g.

iii. *in saecula*, Ps. 72.17, 78.69, 81.16,
146.10 (all J^g).

iv. *in hoc saeculo*, Eccl. 9.6.

[c] עולמים, עלמים *saecula*, Ps. 61.5J^g, 145.13J^{gh}.

[d] עד עולם. i. *usque in saeculum*, e. g. Ps. 18.51J^g.

ii. *in saeculum*, e. g. Ezek. 9.12.

[e] עד עולמי עד † *usque in saeculum saeculi*, Is. 45.17.

[f] ועד עולם ומעולם *a saeculo et usque in saeculum*, Ps.
90.2J^g; cf. below, (6).

[g] על־מח *in saecula*, representing this Heb. in Ps.
48.15J^g only; 9.1 is rendered otherwise.

(6) the phrase *ועד העולם* etc. (variations are the omission of the article, *ע* for *מן*; in Jer. *למן*).

[a] Of the gift of the land to the forefathers, Jer. 7.7, 25.5.

a saeculo et usque in saeculum. (OL 7, 7 not available: 25.5 *a saeculo et usque in saecula*).

[b] i. Of the existence of God, Ps. 90.2.

ii. Of His mercy. Ps. 103.17.

iii. Doxologies. Ps. 41.14, 106.46, I Chron. 16.36, 29.10, Neh. 9.5, Dan. 2.20.^{59b}

This is rendered by *ab aeterno (et) usque ad sempiternum (aeternum; in I Chron. 29.10 ab aeterno in aeternum)*, in I Chron. Neh. and in J^h in the Psalms, except 41.13 where J^h surprisingly retains *a saeculo et usque in saeculum* from J^s. In Ps. 90.2, 106.48 *aeterno . . . aeternum (sempiternum)* in J^h replaces *saeculo . . . saeculum* in J^s; in Ps. 103.17 J^s already has *aeterno . . . aeternum*, but OL had *a saeculo est et usque in saeculum*.

III The relation of J^h to J^s with regard to *עולם* phrases.

(all occurrences are classified).

(I) the same word or phrase retained (also = J^r and OL unless specified).

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

[a] *aeternum*.

i. = *עד עולם* 48.9; 89.5.

ii. = *עולם*

89.2.

iii. = *לעולם*

29.10; 33.11; 37.28; 45.3; 15.5; 31.2; 37.18; 71.1;
55.23; 73.26*; 85.6; 110.4; 112.6†; 119.112;
89.29; 92.9 (לעלם); 125.1 (of הר ציון).
102.13; 103.9; 111.9;
117.2; 119.89 and 152;
135.13; 136.1-26†.

iv. = *הלעולם* 77.8.

* J^r *in saecula*.

† OL *in saeculum*.

^{59b} See addendum p. 306.

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

[b] *sempiternum*.

78.66 חרפת עולם of God's
enemies.

[c] *saeculum*.

מלכותך מלכות כל 145.13
omnium saeculo-
rum, *saec.* being inevi-
table here because of
כל.

78.69 אורך לעולם 52.11
כארץ יסדה לעולם (*J^g saec-*
ula J^h saeculum)*. 81.16
ויהי עתם לעולם (*J^g saecula,*
J^h saeculo)†. Note also
104.5 עולם ועד (subject
J^g in saeculum sae-
culi, > *J^h in saeculum et*
in saeculum).

※ *OL in aeternum*: for change to
saeculum cf. *J^{gh}* to Ps. 148.6 (see
below, (3) [g] 1, p. 289.)

† *J^r OL in aeternum*.⁵⁹

(2) the interchange of equivalents (*aeternus* and *sempiternus*: *J^r*
and *OL aeternum* always unless specifically mentioned).

[a] *aeternum* > *sempiternum*.

9.8 (לעו'); 28.9 (ונשם) 30.7 & 13 (בל אמוט לעו');
(עד עו') 72.19 ※ (לעו'); 86.12 (אכברדה) (לעו') אורך
89.3 (עולם חסד יבנה) (שמך לעו') 89.37 & 38
89.53 (לעו'); 100.5 (זרעו לעו', כירח יכון עו') of
(לעו'); 105.10 (ברית) 112.6 ※ (לעו') (Davidic seed);
119.98 (מצותך כי) (עולם) (לעו') —
119.142 (לעו') (לעו') *in v^a for 'לעו', aeter-*
119.160 (לעו') *num in J^{gh}*; 119.93 (לעו')
(כל משפט צדק) (לא אשכח פקודיך 119.111
(נחלתי עדותיך לעו').

※ *OL in saeculum*.

⁵⁹ For the significance of the change see Morin, *op. cit.*, p. 73; עתם is not
taken as punishment.

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

[b] *sempiternum* > *aeternum* (J^r *usque in saeculum* OL + *et saeculum saeculi*).

106.31 (of Phineas' righteousness עולם עולם).

(3) *change of word, or phrase, or greater elaboration of phrase.*

[a] *saeculum* > *aeternum*.

i. — עולם [עד]

18.51 (לדוד ולזרעו) — in 2 Sam. 22.51 || *sempiternum*); 133.3 (חיים in Zion).

ii. — עולם [מעחה ועד]

113.2; 121.8 (שמר צאתך) 115.18 (נברך יה);
(ובואך); 125.2. 131.3 (יחל ישראל אל ה').

iii. — לעולם

105.8 (זכר בריתו); 106.1; 44.9 (שמך נודה).
107.1; 118.1-4 & 29;
138.8; 146.10.

[b] *in saecula* > *jugiter*.

עולמים (LXX *εἰς τοὺς αἰῶνας*,
Σ *δι' αἰῶνος*).

61.5 (אנורה באהלך עו').

[c] *in saecula* > *in aeternum*.

72.17 (יהי שמו לעו') —
messianic).

[d] *in saeculum* > *in sempiternum*.

לעולם 104.31; 111.5 (LXX *εἰς*
τὸν αἰῶνα, Σ *αἰωνίου*); 146.6.

אניד לעולם 75.10.
נודה לך לעולם 79.13.

[e] *in saeculum et in saeculum saeculi*:

עולם ועד, לעולם ועד

> I. *in saeculum et in aeternum*.

ארך ימים עולם ועד 21.5.
(LXX S' *εἰς αἰῶνα αἰ-
ῶνος*, 'AΘE' *εἰς αἰῶνα*

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

> 2. *in sempiternum jugiter.*

> 3. *in aeternum et jugiter.*

> 4. *in sempiternum (aeternum)
et ultra.*

καὶ ἔτι, Σ καὶ εἰς
ἀπέραντον).

ואהללה שמך לעו' ועד 145.2

יְבָרַךְ שֵׁם קְדֹשׁוֹ לְעוֹ' 145.21
ועד.

אשמרה תורתך לעו' ו' 119.44

ואברכה שמך לעו' ועד 145.1
(LXX εἰς τὸν αἰῶνα
καὶ εἰς τὸν αἰῶνα τοῦ
αἰῶνος; Σ διηκεῶς;
'Α εἰς ἔτι).

[f] *in saeculum saeculi:*

עולם ועד, לעולם, לעד לעולם

> 1. *in saeculum et in aeternum.*

עו' ועד, (LXX Θ εἰς τοῦ
αἰῶνα αἰῶνος, 'Α εἰς αἰῶνα
καὶ ἔτι, Σ αἰῶνιος καὶ ἔτι.)

> 2. *in sempiternum.*

ושכן לעולם (LXX
εἰς αἰῶνα ÷ αἰῶνος. Σ
εἰς αἰῶνα).

> 3. *in sempiternum jugiter.*

לעד לעו' 111.8

> 4. *in saeculum et in saeculum.*

אָרץ . . . בל חמוט 104.5
עולם ועד.

[g] *in aeternum et in saeculum saeculi:*

לעד לעולם, [ל]עולם ועד

> 1. *in saeculum et in saeculum.*

ויעמידם לעד לעולם 148.6

Note that object is heavenly
bodies, (LXX εἰς τὸν αἰῶνα
καὶ εἰς τὸν αἰῶνα τοῦ
αἰῶνος, Σ αἰωνίως).

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

> 2. *in sempiternum et jugiter.*

שמים מחיח לעו' ועד 9.6

> 3. *in saeculum et in perpetuum.*

עו' ועד 48.15

> 4. *in saeculum et in aeternum.*

יהודוך לעלם ועד 45.18
(LXX εἰς τὸν αἰῶνα
καὶ εἰς τὸν αἰῶνα τοῦ
αἰῶνος, 'ΑΣΘ διηλεκῶς).

> 5. *in saeculum sempiternum.*

בטחתי בחסד אלהים 52.10
עו' ועד

> 6. [rex] *saeculi et aeternitatis.*

מלך עו' ועד 10.16

[h] *in saecula > in morte.*

48.15 הוא ינהגנו על-מות (LXX
εἰς τοὺς αἰῶνας, Σ εἰς τὸ διη-
λεκές, 'Α super mortem or
ἀθανασία).

[i] *in aeternum > semper.*

לעולם 119.144

[מלך] ישב עולם 61.8

[j] *in aeternum > [in] saeculo.*

49.9 וחדל לעולם LXX
ΘΕ' 'Α εἰς (τὸν) αἰῶνα,
Σ τῷ αἰῶνι τούτῳ.
contrast v. 10 ויחי עו' ועד
לנצח, J^s adhuc in finem,
J^h ultra in sempiternum
(LXX Θ εἰς τέλος, 'AE'
εἰς νῆκος Σ εἰς αἰῶνα).
49.12 קרבם בחימו לעולם
LXX 'ΑΣ εἰς (τὸν) αἰ-
ῶνα.

עו', מושל בנבורתו עולם 66.7
as direct object, not ad-

subject God or divine
attribute, with or
without finite object.

subject man or
otherwise finite.

verbal as in J^g (LXX
δεσπόζοντι . . . τοῦ αἰ-
ῶνος, Σ δι' αἰῶνος).

[k] *in aeternum* > *in perpetuum*.

41.13 ותציבני לפניך לעולם

Note object is human, LXX

εἰς τον αἰῶνα, Σ. δι' αἰῶνος.

5.12 לעולם ירננו.⁶⁰

The foregoing analysis may now be summarised. For עולם of past reference the normal secular term is *saeculum* (variants *antiquus* etc.), *aeternus* being preserved by Jerome exceptionally only, and always for a specific reason. Referring to God, the normal word is *aeternus*, or *sempiternus*: *saeculum* is preserved very occasionally, generally protected by the preposition *ante*; *ab initio* is also used. Reasons can be discovered for the retention of *saeculum* in every case except Is. 63.16 (? an oversight).

The phrase עולם ועד העולם מן referring to both past and future is rendered twice secularly, of the land (Jer. 7.7 and 25.5) *a saeculo et usque in saeculum*: elsewhere (7 times) of God, *ab aeterno et usque ad sempiternum*, etc. except in 41.13 where J^h retains *saeculo . . . saeculum* (? by oversight).

For עולם of future reference the normal words are *sempiternus* (*aeternus*) which is used secularly as well as of God, e. g. Gen. 13.15,^{60a} and phrases with *saeculum*, which will be summarized

⁶⁰ In his *Tractatus* (Morin *op. cit.*, p. 15, l. 35) Jerome interprets *in aeternum exultabunt* as follows 'Hic, *in aeternum*, non de praesenti saeculo debemus dicere, sed de futuro. Denique non dixit, in saeculo exultant, sed *exultabunt* de futuro dicitur . . . nos vero in praesenti lugemus, ut in futuro rideamus.' The *Psalterium juxta Hebraeos* was written before 393, being referred to in *de viris illustribus* as 'antiqua expositio.' Duff (see above p. 280) dates it 386. Morin tentatively dates the *Tractatus* at 401-2 (*op. cit.* 3 vi. note 1, also *Revue d'histoire et de littérature religieuses* I (1896) 393, and *Revue Benedictine* xix (1902), 113. Since the *Tractatus* are homiletic in style and follow the text of the Gallican Psalter, we need not raise our eyebrows at the exegetical anachronism (cf. the preface to the *Psalt. iuxta Hebraeos* cited above, p. 282).

^{60a} See addendum p. 306.

separately. In J^h *aeternus* stands over from J^s 9 times where man is concerned, and refers to praising God, and to trusting in Him without disappointment; to the permanent security of the righteous and (125.1) Mount Zion; also 110.4 כהן לעולם (messianic)⁶¹ and 119.112 (לעשות חקִיךָ). *Sempiternus* stands over in J^h from J^s of man only 78.66 — the 'חרפת עוֹ' of God's enemies. There is a tendency (18 times) in J^h to replace *aeternus* by the fuller sounding *sempiternus*; where these instances are of man (in 8 cases), they are of the same type as those just mentioned. *Aeternus* replaces *sempiternus* 106.31 only, of Phineas' righteousness. *Perpetuus* is the commonest alternative for these two words, being used 38 times to represent עולם, which occurs according to BDB 439 times in the O. T. It is used of divine institutions (חֹק, בְּרִית, מִקְדָּשׁ), of the divine promise (דָּבָר) to David (I Chron. 17.23), and of God's work (Eccl. 3.14). But it is never used of God Himself or of any of His attributes except in Jer. 3.5 and 12 לעוֹ' (לֹא אֶמְנָר, הַיִּנְטָר), where the verb employed is such that the reference of לעולם must be primarily to the implicit human object, and Is. 26.4 צוֹר עוֹלָמִים which is taken as the object of the human בטחו. *Semper* (6 times) is used of God only Ezek. 43.9 (וּשְׁכֹנָה), and of His testimonies in Ps. 119.44; otherwise of man. *Jugiter* and *Juge* (3 times) are secular (including Ezek. 46.14 of a sacrificial חֹק).

In aeternum is corrected to [*in*] *saeculo* in 3 instances, where the reference is secular: and changed to *in perpetuum* twice, in one case (41.13) where the subject is God, but the reference of לעולם is to the human object. Conversely, [*in*] *saeculum* (*saecula*) becomes [*in*] *aeternum* (*sempiternum*) in 24 cases, of which 8 concern men — either of the praise of God and trust in Him, or passages of messianic import (18.51 (?); 72.17; 133.3).⁶² In 61.5 *in saecula* becomes *jugiter*, where the subject is man.

The phrases *in saeculum* [*et in saeculum*] *saeculi*, and *in aeternum et in saeculum saeculi* are changed. Where the reference is to God we find instead *in saeculum et in aeternum* (45.7); *in sempiternum* [*et*] *jugiter*, *jugiter* being surprising for God's

⁶¹ Jerome, *Tractatus Morin*, *op. cit.*, III 2. 201.

⁶² *Ibid.*, 251.

precepts in 111.8 (but not so in 9.6 where the reference is to His blotting out the wicked); and *in saeculum et in perpetuum* in 48.15, *perpetuum* here perhaps being surprising. The phrases used of man praising God and trusting in Him, and of the security of the righteous (21.5; also 37.27 *in sempiternum*) are similar. It is significant, however, that the only places where J^h tolerates the repeated *saeculum* of J^s (and that in the newly-coined form *in saeculum et in saeculum*), are 104.5 of the immovability of the earth עולם ועד, and 148.6, of God's having established the heavenly bodies לעד לעולם. We may compare Ps. 78.69 where for לעולם יסדה כארץ J^h *saeculum* (J^s *saecula*) replaces O. L. *aeternum*.

The question that now arises is whether Jerome's consistent introduction of this change is made upon his own initiative, or whether his dissatisfaction with *saeculum* when predicating God's eternity has been derived from another source. It can scarcely be due to the pagan religious associations of the term, for if this were the objection surely it would not have been tolerated anywhere, at least when speaking of God; and as we have seen, Jerome will sometimes retain it if it is adequately qualified. There is no indication of any similar tendency in the Greek versions, which seem to tend if anything towards the abbreviation of the cumbrous combinations of the LXX; in spite of the development of αἰών to the meaning of *saeculum*, i. e. the present dispensation, it seems to have retained more sensibly the primary meaning which it enjoyed in Plato and biblical Greek, so that it gave less cause for dissatisfaction than *saeculum* did. Nor is there any evidence of a similar tendency in the Aramaic versions: the Targums use לעולם and לעלמא indifferently, and although the Peshiṭta prefers לנצח the use of the absolute form is probably a reflection of dialect than of theology. The Targum has a tendency to introduce the phrase מן עלמא דחיי ועד עלמא דחיי, but this is due not to dissatisfaction with the word עולם as an expression of eternity but rather to a desire to assert the belief in the future life — in the same way that the Mishnah (*Berakhoth* 9,5) records that the doxology formula in the Temple was for the same reason altered from מן העולם ועד העולם into מן העולם ועד העולם.

If so thorough-going a revision is due to theological scruples first propounded by Jerome, it is to say the least surprising that he has introduced the change tacitly, without his exegetical works containing (as far as I have been able to trace) any elaboration of the point. Quotation above (pp. 274 ff., 276) has made clear that the distinction between time and eternity was clear to Jerome, even though he seems there to think of eternity, while essentially different from any series of *saecula*, as itself a sort of vastly enlarged *saeculum*. But the following quotations show that his conception of it was upon the lines of Neoplatonism, in which eternity is something distinct from time,^{62a} although time may be a reflection of it; and is identical with God (*τὸ αὐτὸν τῷ θεῷ*), being the manifestation of His nature.⁶³ Jerome thus expresses this:⁶⁴

"Caetera quae creata sunt, etiamsi videntur esse, non sunt . . . Deus solus qui aeternus est, hoc est, qui exordium non habet, essentiae nomen vere tenet."

He alone is immortal by nature.⁶⁵

"Solus Deus est immortalis, quia non est per gratiam, sed per naturam."

He is not subject to change.⁶⁶

"non mutatur Deus qui unus atque idem ist, et mutari non potest."

And it is by virtue of His immutability that He is different from the created world:⁶⁷

"recogitans . . . mundum suo fine senescere, solumque Deum id semper esse, quod fuerit, compellor dicere . . . *vanitas vanitatum*."

^{62a} For reflections of Plotinus' theory of time in the Jewish and Arabic philosophers, see H. A. Wolfson, *Crescas' Critique of Aristotle*, p. 96 ff., 638 ff., 654 ff.

⁶³ See W. R. Inge, *The Philosophy of Plotinus* II, p. 94 ff. Plotinus, *Enneads* III, vii, 5; Wolfson, *Crescas' Critique of Aristotle*, p. 287, 662.

⁶⁴ *Ep. xvi ad Damasum* § 4, P. L. 22, 357; cf. *in Ep. ad Eph.* 3, 14 P. L. 26, 489A.

⁶⁵ *Adv. Pelagianos* II § 7, P. L. 23, 542D.

⁶⁶ *In Zach.* 8.13, P. L. 25, 1473A; cf. *in Ep. ad Gal.* 1.8, P. L. 26, 320A.

⁶⁷ *In Eccl.* 1.2, P. L. 23, 1014C.

Statements of God's eternity abound in the Latin Fathers from Tertullian onwards, many instances being catalogued in Migne's *index de Deo* (series 4a, xxix P. L. 219, 12 foot). We may cite a few typical examples. First, from Tertullian himself:⁶⁸

"Cujus et saecula, nisi Creatoris? . . . et omne quod ante saecula propositum dicatur, non alterius esse, quam cuius et saecula."

This passage is quite typical in that it recognizes God's existence outside all series of *saecula*, but fails to draw the terminological conclusion postulated later by Jerome. Minucius Felix⁶⁹ states that divinity is the property of something that lacks *ortum* and *occasum*; while Arnobius⁷⁰ asserts that God alone is *ingenitus*, *immortalis*, and *perpetuus*, owing His eternity to Himself alone; "infinita ut prodeant saecula, non ex ejus perpetuitate perficitur?" Hilary states succinctly the incompatibility of beginning and discontinuation with God, and may be cited *in extenso*:⁷¹

"Non enim aliud proprium magis Deo, quam esse, intelligitur: quia id ipsum quod est, neque desinentis est aliquando, neque coepti: sed id, quod cum incorruptae beatitudinis potestate perpetuum est, non potuit aut poterit aliquando non esse; quia divinum omne neque abolitioni, neque exordio obnoxium est. Et cum in nullo a se Dei desit aeternitas, digne hoc solum, quod esset, ad potestatem incorruptae suae aeternitatis ostendit."

Of writers subsequent to Jerome two must be cited. St. Patrick expresses more definitely than any earlier Patristic writer that I have seen that God's preexistence is outside time, which is coeval at the most with the created world:⁷²

"Qui miro modo non tempore praecessit mundum et tempus (nullius enim horae spatio fuit ante mundum); et tamen semper erat sine initio. Non enim erat tempus ante tempus,

⁶⁸ *Adv. Marcion.* V. § 6 P. L. 2, 483A; cf. § 1, *ibid.* 468CD, and *Apologeticus* xxvi P. L. 1, 432A.

⁶⁹ *Octavius* xxiii P. L. 3, 323; cf. xviii *ib.*, 301.

⁷⁰ *Adversus gentes* II § 72, PL. 5, 928A.

⁷¹ *De Trinitate* I § 5 P. L. 10 28CD; cf. XI § 47, *ib.* 431AB.

⁷² *De tribus Habitaculis* c. 5 P. L. 53, 836A-D.

tempus autem cum mundo concreatum est. Si igitur tempus ab initio mundi coepit currere, ante mundum factum non erat. Ideoque nullo tempore, ut praediximus, praecessit Deus tempora et mundum eis coaevum, imo paulo eis priorem . . . Ineffabili enim aeternitate praecessit Deus mundum, non tempore. Cujus tempus ante mundum non erat . . . Cujus aeternitas sine initio et sine fine est (si enim esset tempus quando non esset, quis eum faceret?); quia ipse est solus Deus, et ante ipsum Deus alius non erat, nec est, nec erit."

The nearest passage that I have been able to find to Jerome's scruple is to be found in Cassiodorus' comment on Ps. 90.2:⁷³

"*A saeculo et usque in saeculum tu es*; quasi aut ante saeculum, aut post saeculum non est Deus. Sed hic *a saeculo et usque in saeculum*, aeternitatem debemus advertere. Graeci enim codices *aeternitatem* habent, quod patres nostri *a saeculo et usque in saeculum transtulerunt*." With this Jerome's own exegesis may be usefully compared.⁷⁴

Had Cassiodorus referred to Jerome's *Psalterium juxta Hebraeos*, he need not have thought wistfully of the greater ἀκριβεία of the Greek version.

It is less easy to take a cross-section of the views of the Greek Fathers, but two of Jerome's predecessors may be worth examining; in view of the influence of Origen upon him, one might suspect that the source lies there. Origen states that eternity is incompatible with any coming into being or ceasing, and that God's existence is outside all time and *saecula*:⁷⁵ the very statement of dogma, *numquam fuit quando non fuit*, is unsatisfactory as employing a temporal adverb and conjunction.⁷⁶ The scriptural phrase *in saeculum et adhuc* indicates the existence of something greater than *saeculum*, *saecula*, or *saecula saeculorum*,⁷⁷ but to attempt to understand what this is, is futile.⁷⁸ Origen frequently

⁷³ P. L. 70, 645.

⁷⁴ *Tractatus in loc.*, Morin, *Anecdota Maredsolana* III, 3, 63.

⁷⁵ *Principia* I 2, § 11, P. G. L. 11, 142C; cf. I 2, § 3 (*ib.* 132B) and in *Johann.* II § 1, P. G. L. 14, 105C, also *Principia* III 1, § 1 P. G. L. 11, 250A.

⁷⁶ *Ib.* IV 4, § 28, *ibid.* 403B.

⁷⁷ *Ib.* II 3, § 5 *ibid.* 194A, cf. p. 273; cf. also in *Ep. ad Rom.* 10, 23 P. G. L. 14, 1292B.

⁷⁸ In *Isaiam Hom.* iv § 1, P. G. L. 13, 231A.

refers to a series of innumerable *saecula*, culminating in the *συντελεία*, the following passage probably being the fullest:⁷⁹

"Verumtamen multorum saeculorum finis dicitur esse hic mundus, qui et ipse *saeculum* dicitur. Docet autem Sanctus Apostolus quod Christus in eo saeculo quod ante hoc fuit non est passus, sed ne in illo quidem quod ante ipsum fuit: et nescio si enumerare sufficiam quanta fuerint anteriora saecula in quibus passus non est. . . . Quod autem post hoc saeculum, quod ad consummationem aliorum saeculorum dicitur factum, erunt alia saecula supervenientia, manifeste ab ipso Paulo didicimus dicente '*ut ostenderet in saeculis supervenientibus etc.*' . . . non dixit, in saeculo superveniente, neque in duobus . . . unde arbitror multa saecula indicio sermonis ejus declarari."

Commenting on Isa. 6.3⁸⁰ he distinguishes 'quae videntur, temporalia saecula', from others 'quae non videntur et aeterna sunt', but there seems to be no hint of the scruple felt by Jerome in using *saeculum* of God.

It might be thought that Jerome's emphasis on the point is designed as a disavowal of Arianism, with its battle-cries of *ἦν πότε ὅτε οὐκ ἦν*, and *οὐκ ἦν πρὶν γεννήθῃ*.⁸¹ But it was about the question of the eternity of the Son that the Arian controversy raged, the Arians allowing him to have been begotten *πρὸ χρόνων αἰώνων* and to have been the instrument of the creation of *τοὺς αἰῶνας καὶ τὰ ὅλα*; but although thus begotten outside time (*ἄχρόνως*), the Son did not exist before being begotten, and is therefore neither eternal (*ἀίδιος*), nor coeternal (*συν-αίδιος*), nor equally-unbegotten (*συναγένητος*) with God.⁸² But although it is true that many passages where *ἐστιν* occurs are interpreted by Jerome christologically, in many where he has been at pains to reject *saeculum* (e. g. Ps. 111.8) no such reference seems to be meant; and above all, in Isa. 63.16 (*ἐμὲ καὶ ὁ λαός*) *saeculum* is surprisingly allowed to stand (see p. 284), cf. also

⁷⁹ *Principia* II 3, § 5 P. G. L. II, 193BC; cf. I 6, 2 (*ib.* 168A), III 5 § 3 (*ib.* 328B), *de Oratione*, *ib.* 520C.

⁸⁰ *Ib.* I, 6 § 3, *ibid.* 169B.

⁸¹ Athanasius *Oratio I contra Arianos*, II 13, end P. G. L. 26, 40C.

⁸² *De Synodis* § 16, *ibid.* 709A-C.

Ps. 55.20 (p. 283). Further, Jerome is by no means reluctant to launch into criticism of Arianism on slight pretexts;⁸³ and it is at least strange that if anti-Arianism is behind the correction of *saeculum* throughout, not even the classical passage in Ps. 90.2 is made the occasion of an expatiation.⁸⁴ Nor, as far as can be seen, was any such text flourished as a weapon by Athanasius.

Patristic sources in Latin and Greek failing, apparently, to suggest a clue, we may turn to rabbinics; and here, although we cannot discover Jerome's source, we shall find a remarkable parallel to his treatment of עולם, albeit some centuries later and derived from a source far removed from the Haggadah which perhaps constituted Jerome's main, but not his exclusive Jewish interest: and this parallel may give us a pointer to the direction in which any further search must be conducted. But before we consider this, we should note how עולם came to be used in a weakened temporal sense in post-biblical Hebrew where it had come to bear the primary connotation of "world" (see above, p. 267). In the liturgy לעולם is still frequent, in scriptural quotations or reminiscences, as a predicate of God's continued existence, and liturgical and biblical usage can therefore be treated as one, although the liturgy uses עולם just as frequently in the sense of *world* (e. g. מלך העולם). As applied to man, לעולם has become weakened into an adverb meaning "always," "in all circumstances," similarly to the Aramaic בעלמא = *in general, merely*. לעולם is thus used mainly in maxims for general conduct, such as לעולם ימכור אדם כל מה שיש לו וישא בת תלמיד חכם — "one should always sell all one's property in order to be able to marry a scholar's daughter."⁸⁵ Close to this nuance is the dialectical application, in which it means "still," "notwithstanding" (*sc.*

⁸³ E. g. in *Ep. ad Euph.* 4, 5-6, P. L. 26, 496; *Apologia adv. libros Rufini* § 17, P. L. 23, 440; *Tractatus* in Ps. 91.6, Morin, *Anecdota Maredsolana* III 3, p. 70, l. 1.

⁸⁴ Contrast Athanasius, *Oratio I contra Arianos*, § 13, P. G. L. 26, 40A and *Interpretatio (de titulis Psalmorum) in loc.* P. G. L. 27, 1035-6C and 1037B.

⁸⁵ T. B. *Pesahim* 49b. A comprehensive list of such adages is included in Israel Alnakawa's *Menorat Hamaor*, ed. H. G. Enelow, iv, 493 ff.; cf. Yellinek, *Beth Hammedrash* III, p. 109 ff.

other arguments)," e. g. T. B. *Hullin* 101a 'לעולם קסבר וכו' "he still considers."⁸⁶ On the other hand in the past מעולם לא = *never* is used absolutely, of human relationships, similarly to מִיָּמִי, e. g. T. B. *Shabbath* 108b. In general, where man is concerned, the old Hebrew idea of eternity as a piling up of limited time periods (see p. 267) continues, although new ways are found of expressing it: the normal ones are, of the past, "since the creation week" (משש ימי בראשית)⁸⁷ and of the future "till the end of all the generations" (לדורות, עד סוף כל הדורות). Expressions of eternity proper are rare: infinite space tends to be expressed in high finite figures of the travelling time required, often multiples of 500 years, which was fancifully taken as the distance in terms of time from earth to heaven.⁸⁸ The necessity of asserting God's existence outside time does not seem to have struck the Rabbis very forcibly, although we shall see in a moment what appears to be a statement of belief to that effect incorporated into the daily liturgy. But no exact terminology for eternity (נֶצַח, נֶצְחִית, נֶצְחִי etc.) occurs before the 12th century.⁸⁹ As regards time, it is not surprising that the philosophic problem that it constitutes scarcely struck the rabbis; two theories, however, recorded in the Midrash⁹⁰ deserve note. R. Judah bar Simon, in the early 4th century, inferred from Gen. 1.5b that time (סדר זמנים) existed before the world — possibly meaning⁹¹ in the previously existing worlds which, according to R. Abbahu, God kept creating and destroying until He produced the present one, which alone satisfied Him (דין הניין לי, יתהון לא הניין לי). Abbahu is here presenting a modification of the Stoic theory of endless

⁸⁶ See M. Mielziner, *Introduction to the Talmud*², p. 200.

⁸⁷ E. g. T. B. *Kethuboth* 8b.

⁸⁸ T. B. *Hagigah* 13a מן הארץ עד לרקיע מהלך ח'ק שנה cf. *Tosaphoth* in loc. s. v. ורולי, on the numerical value of ישרה in Ezek. 1.7. See also T. B. *Hagigah* 13b (the height of the angel Sandalphon).

⁸⁹ E. ben Yehuda's Hebrew *Thesaurus* (viii, 3765 ff.) cites נצחי from Judah ibn Tibbon's translation of Jehudah Halleivi's *Cuzari* (1167), and נצחיות and נצחות from R. Abraham ben David I and Gersonides (12th and 14th centuries).

⁹⁰ Gen. Rabba 3, § 7, ed. Theodor p. 23, l. 9 ff.

⁹¹ So according to Samuel Yaffe Ashkenazi's commentary (יפי חאר) in loc.

and identical world cycles⁹² — a theory that was later to be rejected by Maimonides⁹³ as it had been by Philo and Augustine,⁹⁴ although tolerated by Jehudah Hallevi, probably subject to the same modification that had been made in it by Origen, viz. that the successive worlds are finite in number and mutually different.⁹⁵ Indeed, the similarity between R. Abbahu (c. 279–320), who like Origen († 254) lived in Caesarea where he had an academy, is close enough to suggest a possible connection; and Abbahu's teacher, R. Joḥanan, was an intimate friend and disciple of R. Hoshaya Rabba, whom Graetz and Bacher suggested, with a high degree of probability, to have been a friend of Origen.⁹⁶ Perhaps therefore on the strength of Abbahu's remark we may include R. Joḥanan in Origen's circle of Jewish friends which numbered besides R. Hoshaya Rabba also "Huillus," i. e. probably Hillel the son of the Patriarch Gamaliel III.

It is possible that the need to assert the unique eternity and immutability of God has left a mark on the liturgy, in a prayer for which some scholars have claimed to have fixed an approximate date. The first part of the morning service, originally recited privately, contains a paragraph which begins as follows:⁹⁷

⁹² See E. Zeller, *Outlines of the History of Greek Philosophy*,¹³ p. 217 of the English translation. Cf. my Father's note 6 on p. 651 of *A Rabbinic Anthology*, by C. G. Montefiore and H. Loewe.

⁹³ *Guide to the Perplexed*, part II chap. 30; Friedlander's translation 1st (annotated) edition p. 144 ff., where see Friedlander's note. Cf. H. A. Wolfson, *Crescas' Critique of Aristotle*, pp. 291, 663, and his article *The Platonic, Aristotelian, and Stoic theories of Creation in Hallevi and Maimonides*, in *Essays presented to J. H. Hertz*, p. 435–6.

⁹⁴ Philo, *de Aeternitate Mundi*, 13, ed. Cohn-Wendland VI, 85; Augustine *De Civit. Dei*, XII, 13, P. L. 41, 360.

⁹⁵ Wolfson, *l. c.*, p. 432 ff. Origen, *Principia* II, 3 § 1 and 4–5, P. G. L. II, 188 and 192; the last part is quoted above, p. 297.

⁹⁶ Graetz in *Monatsschrift f. Gesch. u. Wiss. des Jud.* 30 (1881), 433–4 and 442; Bacher in *J. Q. R.* (O. S.) 1891, 357 ff. See also *Jew. Encyc.* vii, 212 (Joḥanan). On Abbahu's own relation with Christians, see Bacher, *Die Agada der Palästinenischen Amoräer* II, 97 and 115–8, and, more briefly, *Jew. Encyc.* I 37.

⁹⁷ Singer's *Authorised Daily Prayer Book*, p. 7–9; Abraham's *Notes* to the same, p. xxi ff.

"At all times let a man fear God both in private and in public, acknowledge the truth, and speak the truth in his heart; and let him rise early and say: . . ."

This prayer includes the first line of the *Shema'*, and its origin has been attributed to the period of persecution in Persia and Babylon under the Sassanid Yezdejerd II (454-5).⁹⁸ At this time the observance of Sabbath and the recitation of the *Shema'*, two of the most prominent outward marks of Judaism, were interdicted; so that the custom was instituted of reciting the *Shema'* out of its proper place, in order that the Persian inspectors might not notice it, and not in congregational worship, but by the individual. The first line of the *Shema'* is followed by a short concluding paragraph, which begins thus:⁹⁹

"Thou wast the same ere the world was created; Thou hast been the same since the world hath been created; Thou art the same in this world, and Thou wilt be the same in the world to come . . ." אחה הוא עד שלא נברא העולם, אחה הוא משנברא העולם, אחה הוא בעולם הזה, ואחה הוא לעולם הבא.

This wording¹⁰⁰ occurs in the Midrash *Seder Eliahu Rabba*,¹⁰¹ although omitted (by abbreviation) both in the *Editio Princeps* (Venice, 1598) and in M. Friedmann's critical edition. Mann¹⁰² thought that the Midrash is not the source, but that it is quoting (מִיכָן אָמְרוּ) an already existing prayer; and he therefore carried back the composition of the Midrash from its previously assigned

⁹⁸ J. Mann, *Changes in the Divine Service of the Synagogue due to religious persecutions*, in H. U. C. A. IV (1927), p. 250.

⁹⁹ Singer, p. 8 foot.

¹⁰⁰ The exact wording differs in the various rites; for the reasons for which see Frumkin's note in מקור הברכות to his edition of עמרם השלם, p. 98, and also S. Gaguin's note 43 on p. 26 of his כתר שם טוב, I. I am indebted to Rabbi Gaguin for further information here utilized by me.

¹⁰¹ ed. Warsaw, 1873, with Jacob Herz' commentary, § 21, p. 43b-44a, and § 26 p. 47b. Contrast Friedmann's ed. p. 118 and 130. Cf. also Yalkut Shim'oni Deuteronomy § 836, which quotes allegedly from T. J. *Berakhoth* chap. ix, although the passage is not in the printed Talmud editions (see Elbogen's note in *Der Jüdische Gottesdienst* p. 527); there the context refers to R. Nehorai, perhaps a contemporary of R. Eleazar (b. Pedath), † c. 279.

¹⁰² *Op. cit.*, p. 247, 250.

date in the 10th century¹⁰³ to the period immediately following the Sassanid persecution in the 5th. If this is correct, is it perhaps possible that the assertion of God's existence and His immutability prior to the creation of the world, and in the world to come, is directed against a campaign to suppress belief in the creation and to establish the doctrine of the eternity of matter? Even if the earlier dating be not conceded, it seems reasonable to take the wording, in its context, as an assertion of this sort; and if it be not intended polemically as a piece of apologetic, it may nevertheless have been inserted because of a sense of the inadequacy of עולם to predicate eternity of God: since the liturgy elsewhere makes use of the doxological phrase מן העולם ועד העולם for this purpose, e. g. in the early prayer נשמח כל חי¹⁰⁴. And if the 10th century date for the *Seder 'Eliahu Rabba* be retained, it brings us to the period of Sa'adiah (892-942), whose treatment of עולם when it refers to God offers us a remarkably close parallel to Jerome's procedure.

Sa'adiah's own prayer book¹⁰⁵ does not include this section of the morning service, but the following passage, from a long meditation composed by him, is the same in intent:¹⁰⁶ ברוך אתה ראשון מקדם (יבא אצלך מלך) עד לא כל ראשון (אז לא ראשון ולא אחרון) וברוך אתה אחרון בסוף ותכלית כל אחרון. In Sa'adiah's philosophy time is essentially dependent upon the existence of the heavenly sphere and of the material world.¹⁰⁷ This is derived from Plato, who identifies time with the continuance of the circulation of the heavenly bodies,¹⁰⁸ and Sa'adiah's insistence on the necessity for both the heavenly spheres and the sublunar world being subject to time is directed against Aristotle's distinction. Naturally, therefore, the category of time is inapplicable to the deity,

¹⁰³ Strack, *Introduction to the Talmud and Midrash*, p. 227 of the English translation.

¹⁰⁴ Singer, p. 125; see Elbogen, *op. cit.*, p. 113. Cf. Singer, p. 36 foot.

¹⁰⁵ Ed. I. Davidson, S. Assaf, B. I. Joel, Jerusalem 1941. Correct Frumkin's statement cited above, note 92.

¹⁰⁶ p. נח.

¹⁰⁷ See J. Guttman, *Die Religionsphilosophie des Saadia*, p. 80; cf. 'Emunoth weDe'oth, pp. 37, 71 of Landauer's Arabic text.

¹⁰⁸ Cf. Timaeus 38b χρόνος δ' οὐκ ἐστὶν οὐρανῶν γένεσιν.

and in his philosophical treatise *Beliefs and Opinions* (chap. ii, 11), where he discusses the inapplicability to God of the categories of quality, relation, place, time, etc Sa'adiah cites a few scriptural passages that appear to impute a time reference to God, and declares that they refer solely to his acts:¹⁰⁹

"As regards [the category of] *time*, (الزمان), it is inconceivable that the concept of time could be applied to the Creator because of the fact that He is Himself the Creator of all time. Furthermore, He existed originally alone when there was no such thing as time. It is, therefore, unthinkable that time should have effected any locomotion or change in Him. Moreover, time is nothing else than the measurement of the duration of corporeal beings (مدة بقاء الاجسام). He, however, who has no body, is far removed from such concepts as time and duration (الزمان والبقاء). If, nevertheless, we do describe God as being enduring and permanent (بقاء وثبات), that is done only by way of approximation, as has been stated by us previously.

'Again, when we find the Scriptures making such statements as *Even from everlasting to everlasting, Thou art God* (Ps. 90.2), as well as *Yea, since the day was I am He* (Isa. 43.13), and again, *Before Me there was no God formed, neither shall any be after Me* (Isa. 43.10), all the points of time (هذه النقط كلها من الاوقات) referred to therein revert solely to God's acts. Those, therefore, who say *Even from everlasting to everlasting, Thou art God*, mean thereby: "From the beginning of time (من اول الزمان) Thou hast always helped Thy servants." Thus Scripture expresses it elsewhere: *God is unto us a God of deliverance* (Ps. 68.21).

'As for His statement, blessed be He, *Before me there was no God formed*, that was meant to convey the thought: "Before I sent My messenger and after I sent Him there was no God outside of Myself." For immediately prior to this remark He says: *My servant whom I have chosen*. In the popular idiom, in fact, it is quite proper for a person to say "before me" when he means "before I act." This was done by Joab when he said: *I may not*

¹⁰⁹ Laundauer's text p. 102, foot ff. Translation by S. Rosenblatt, *Yale University Press Judaica Series* vol. 1 (1948) p. 125-7. Contrast Crescas' view — see Wolfson, *Crescas' Critique of Aristotle*, p. 98 and 291.

tarry before thee (II Sam. 18.24). Also one may say "after me" when one means "after I have acted," as Nathan did when he said: *I also will come in after thee, and confirm thy words* (I Kings 1.14).

'Similarly is there, in the statement *Yea, since the day was I am He*, an allusion to some distinguished day, either the day of the revelation at *Sinai* or another such day. What God says, in effect, in this statement is: "From that time on (من ذلك الوقت) have I been the one commanding you to do such and such a thing and forbidding you to do that, and saving you from this," because He concludes the statement with the remark: *I will work, and who can reverse it?* . . . (Landauer p. 104). If, nevertheless, the Scriptures make such assertions as *Yea, the Lord sitteth as king for ever* (Ps. 29.10), their object therein is solely to indicate the permanence of God's existence' (الثبات).

In his translation of the Bible into Arabic, Sa'adiah was at pains to ensure that his exegesis made quite explicit this philosophical impossibility of using time expressions of God.¹¹⁰ Whereas the Karaite Jepheth ibn 'Ali, Sa'adiah's younger contemporary and opponent, always in the Psalms¹¹¹ renders עולם by دهر (time), Sa'adiah himself renders it in different ways according as its reference is to man or God; and the periphrases to which he resorts in the latter case are sometimes similar to Jerome's rejection or careful qualification of *saeculum* in the same circumstances, and sometimes solve the problem in the opposite direction to Jerome although starting from the same premise. Whenever עולם refers to God, Sa'adiah uses, according to the context ازل (absence of beginning), ابد (absence of end), or بقاء or دوام (eternal duration). The following examples will make this clear. In Ps. 93.2 אתה לעולם, לעולם (J^h *ab aeterno* for earlier *a saeculo*). Ps. 90.2 ועד עולם ועד becomes وقبل الدهر وبعده "before time and after it"; cf. his exegesis of this passage cited above, p. 303); just so Jerome in J^h substituted *ab aeterno et*

¹¹⁰ See M. Wolff, *Zur Charakteristik der Bibelexegese Saadia al-Fajjumis* in ZATW 4 (1884) p. 231. Also E. Eisen *Sa'adja al-Fajjumis arabische Übersetzung und Erklärung der Psalmen* 90-106, Leipzig, 1934, p. 13 where the examples here adduced are mostly assembled.

¹¹¹ *Libri Psalmorum versio Arabica*, ed. J. L. Bargés, 1861.

usque in sempiternum for the earlier *saeculo . . . saeculum*. In Ps. 102.13 (לְעוֹלָם חֹשֶׁךְ) Sa'adiah has الدائم البقاء (J^h and all earlier versions *aeternum*). In Ps. 10.16 (ה' מֶלֶךְ עוֹלָם וְעַד) الدهر والابد where J^s had *in aeternum et in saeculum saeculi* which in J^h became *rex saeculi et aeternitatis*. On the other hand, where עוֹלָם in the Hebrew refers to the world or creation, Sa'adiah always uses دهر. Thus in Ps. 92.9 (וְאָחַז מָרוֹם לְעוֹלָם ה') he renders by الى الدهر, because the verse sets forth God's relationship to the world, which passes away (so Eisen *in loc*: contrast J^h and earlier versions, *aeternum*), and similarly in 100.5 (לְעוֹלָם חֹסֶדוֹ) الى الدهر (J^h *sempiternum* for earlier *aeternum*). Ps. 103.17 (חֹסֶד ה' מֵעוֹלָם וְעַד) as referring to God's acts (see above p. 303) he translates "from the beginning of time to its end" (من اول الى آخره). J^h, like J^s, has here *ab aeterno et usque in aeternum*, replacing OL *saeculo . . . saeculum*. This is an instructive example: both Sa'adiah and Jerome start from the same point, viz. that God's eternity cannot be expressed in terms of time, which is merely coeval with creation. Jerome therefore eliminated the time reference altogether; Sa'adiah retains it, but refers the statement neither to God nor to a divine attribute, but to divine acts dependent on the existence of a finite object for them, in the same way that Jerome in such places will sometimes retain *saeculum*, for the same reason, e. g. Isa. 63.9, Ps. 119.52 (see above p. 281 [A] and p. 283 [B] (3)). Again, Ps. 104.5 of the earth not tottering ועוֹלָם וְעַד is rendered by Sa'adiah "for all time" (الى دهر ابدا). Precisely so Jerome here replaces *in saeculum saeculi* of J^s by *in saeculum et in saeculum* — a phrase which he introduces elsewhere in 148.6 J^h only, of the maintenance of the heavenly bodies, where it replaces the earlier phrase *in aeternum et in saeculum saeculi*. For Ps. 104.31 (יְהי כְבוֹד ה' לְעוֹלָם) he writes الى الدهر because כבוד is understood as honor paid to God by man (كرم); Jerome, however, understanding it as an attribute of God, replaces *in saeculum* of J^s by *in sempiternum* of J^h. Similarly in Ps. 105.8 and 10, of the ברית עוֹלָם is rendered الى الدهر and عهد الدهر (Jerome v.8 J^s *saeculum* > J^h *aeternum*, v. 10 J^s *aeternum* > J^h *sempiternum*, because the ברית is understood to reflect God's own eternity,

cf. above p. 266). Ps. 106.1 לעולם חסדו is rendered الى الدهر as in 103.17 (J^s *saeculum* > J^h *aeternum*); the doxology in v. 48, מן העולם ועד העולם is rendered من اول الدهر الى آخره (cf. 103.17), because ברוך makes the phrase refer to God's being praised "for ever" by man; J^h , however, as in 103.17, substitutes *ab aeterno et usque in aeternum* for J^s *saeculo . . . saeculum*.

It should be noted that Sa'adiah resorts to similar periphrases to avoid the apparent localization of God's power when it is described in the Hebrew as being over the earth, nations, etc.; such expressions he renders always by عالم, i. e. world, e. g. Ps. 8.10.

The divergences of the treatment of עולם by Jerome and Sa'adiah themselves in effect constitute parallels, since, as has been shown, each represents legitimate exegetical deductions achieved by applying a common philosophical proposition to the biblical text; for to each of them it was a cardinal principle that the revelation enshrined in scripture must be reconcilable with truth as known to philosophy. The closeness in this respect between the two translators is remarkable, although they belong to two differing traditions and are separated in time by 500 years. There is, of course, no suggestion that Sa'adiah can be dependent upon Jerome or Latin tradition; and Jerome's consistent reluctance to use *saeculum* without careful qualification when speaking of God seems to be as independent of his patristic predecessors as Sa'adiah's similar avoidance of دهر seems original to himself. The present investigation has taken a compass-bearing from two fixed and widely separated points, and in each case the reading on the card leads us towards Neoplatonism. It must be left to others, to whom the relevant literature constitutes less of an unknown territory, to determine the point of intersection, which may perhaps be found in some Christian neoplatonist earlier than the 5th century.

ADDENDUM

Owing to an oversight, the analysis on p. 281 ff. did not take account of Jerome's rendering of עולם where this occurs in biblical

(continued on page 432)

THE RABBANITE PRAYER-BOOK QUOTED BY QIRQISÂNÎ

ALEXANDER SCHEIBER, Jewish Theological Seminary of Hungary, Budapest

I. QIRQISÂNÎ'S PRAYER-BOOK QUOTATIONS AND SOLUTIONS OF THEIR ORIGIN UP TO DATE

THE Karaite Qirqisânî in his chief work, in the *Kitâb al-Anwâr wal-Marâqib* (written in the year 937 c. E.) mentions among his other accusations against the Rabbanites that they do not recite David's Psalms, but instead Prayers of their own make, though they utter praise of David's Songs at the beginning of their Prayers:¹

ומן דלך אנהם אסקטו אלצלאה מן ספר תהלות וגעלוהא ממא אלפוח הם.
ודלך בכלאף מא אכבר בה אלכתאב אד יקול להלל ליי² על ידי דוד. ומע
הדא פאנהם יקולון פי אבתרא צלאתהם אשר בחר ברור עברו³
ורצה בשירי קרשו וסאיר אלקול. פאקרו פי הדא אלקול באן אלתהליל
ואלתמגיד ואלחסביח ללה גל תנאזה ואנב מן קול דוד.

I. e.: "For prayers (consisting of citations) from the book of Psalms they substitute some composed by themselves, contrary to what is enjoined in the Scripture [Ezra 3.10]: "To praise the Lord by the words of His servant David." Yet they say in the beginning of their prayer: "*Who chose His servant David and graciously accepted his sacred hymns,*" etc. Thus they admit by this phrase that the praise and the exaltation and

¹ *Izvestia Karaima Abu-Yusufa Yakuba al-Kirkisani one Yevreiskich Seklach*. Ed. A. Harkavy. Zapiski Wostochnawo Otdelenia Imperator. Arch. Obščes. VIII. 1894. pp. 28622-2872; *Kitâb al-Anwâr wal-Marâqib*. Code of Karaite Law by Ya'qûb al-Qirqisânî. Ed. Leon Nemoy. I. New York, 1939, pp. 1519-164.

² Ezra 3.10: 'אח ה'.

³ Cf. Ps. 78.70.

glorification of God must consist of (citations from) the sayings of David."⁴

Qirqisânî repeats the quotation:⁵

אן אלצלאה. באלמוזמיר ומן קול דוד לו לם יכן עליהא דליל לכאן וגוב
דלך שביהא באלצורה לם יכאלף פי דלך אחר מן אלאמה סוי אלרבאנין גיר
אנהם בעד אן צרחוא באינאב דלך נקצה פאטא אינאבהם לה פמערופ ממא
דכרנאה פי אול אלכתאב מן אנהם יקולון פי אבתראי צלאהם אשר בחר
ברור עברו ורצה בשירי קרשו וסאיר אלקול וכדלך יכתראון
פי אול צלאהם אלתי הי שמנה עשרה בקול דוד עליה אלסלאם [תהל' נ"א, י"ז]
י"י שפתי תפתח ויכתמון בקולה [שם י"ט, ט"ז] יהיו לרצון אמרי פי פאטא נקצהם
לדלך. פמעאראהם ובנצחם למן יצלי בהא חתי אנה חכי ענהם אנהם פי בעץ
אלאחאיינ המו באחראק ספר תהלות ואבטאלה...

The line in question had engaged the attention of scientific research for the past half a century. Our scholars are looking for its origin, since they are fully aware of the fact that the Prayer-Book containing this line would represent one of our oldest and factually proven Rabbanite Prayer-Book.

According to A. Harkavy, the first editor of this text, Qirqisânî is quoting here in a free form a portion of the *ברוך שאמר*:

ובשירי דוד עברך נהללך ה'

Bacher is of another opinion: "The Benediction quoted by Qirqisânî is one formed after that employed in connection with the Haphtara (אשר בחר כנביאים טובים ורצה דבריהם). It is a question whether such was actually in use at this time."⁷ Though we can allay his doubts, since the Berakhot preceeding and following the Haphtarot are to be found already in the Massekhet Soferim (XIII. 9-14),⁸ nevertheless this contributes nothing to the solution of the Qirqisânî quotations.

⁴ Leon Nemoy: *Al-Qirqisânî's Account of the Jewish Sects and Christianity*. HUCA. VII, 1930, p. 332.

⁵ VI.17.1. Ed. Nemoy: *Op. cit.* III. New York, 1941, p. 60811-17.

⁶ *Loc. cit.* All its variants are far different from the line quoted by Qirqisânî. See N. Wieder: *Fourteen new Genizah-Fragments of Saadya's Siddur together with a reproduction of a missing part*. Saadya Studies. Manchester, 1943, p. 268.

⁷ JQR, VII, 1894, p. 695, note 1.

⁸ Cf. Eliezer Levi: *יסודות החפלה*. Tel-Aviv, 1946, pp. 301-302.

Leon Nemoy cannot find any trace of it anywhere: "Probably a phrase in the prayer-book of some local rite in al-Qirqisânî's time; the prayer-book now in general use does not contain this phrase."⁹

Finally Assaf is of the opinion that Qirqisânî is the only source of this Prayer text.¹⁰

If we were satisfied with a hypothesis we could refer to the הַבוּחַר בְּשִׁירֵי זִמְרָה (on Sabbath this is joined up with the Prayer praising David's Psalms).¹¹ We could further point to the Prayer introducing the recital of the Psalms.¹²

יְהִי רְצוֹן מִלְּפָנֶיךָ ה' אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ הַבוּחַר בְּדוֹר עֲבָדָיו וְבוֹרְעָיו אַחֲרָיו.
הַבוּחַר בְּשִׁירֹת וְחֻשְׁבֻּחוֹת. שְׁתַּפֵּן בְּרַחֲמִים אֶל קְרִיאַת מִזְמוֹרֵי תְהִלִּים שְׁאֵקְרָא.
כֹּאֲלוֹ אֲמַרם דּוֹר הַמֶּלֶךְ עָלָיו הַשְׁלוֹם בְּעֶצְמוֹ.

In our case, however, the starting point was a wrong one. We are not looking for *similar* texts but for *identical* ones, since Qirqisânî when quoting a Hebrew Text in his Arabic work would naturally quote it literally. It is also beyond doubt that Qirqisânî knew the Rabbanite Prayer-Book¹³ and it has been demonstrated that he quotes his Rabbanite sources faithfully, as Halkin has shown this with regard to a quotation of Saadya¹⁴ by Qirqisânî, and Lieberman too with reference to Qirqisânî's quotations of the Aggadas.¹⁵ It appears, therefore, that the Prayer-Book fragment quoted by Qirqisânî is of assured authenticity.

Indeed, in 1939 in Oxford I was fortunate enough to dis-

⁹ HUCA. VII, 1930, p. 332, note 47.

¹⁰ *Siddur R. Saadja Gaon*. Edd. I. Davidson, S. Assaf, B. I. Joel. Jerusalem, 1941, p. ל"ב, note 13.

¹¹ See *Siddur R. Saadja Gaon*, p. ק"כ, note 7; cf. S. Abramson in *חמשה* ed. B. M. Lewin. Jerusalem, 1943, p. 62, note 15.

¹² *סדר תהלים עם פירוש חפלה* Wien, 1864, pp. 2a, 115a; *ליל שבועות* למשה Berlin, 1929, p. 1b; cf. I. Davidson: *Thesaurus*, IV, New York, 1933, p. 172. No. *108.

¹³ Hartwig Hirschfeld: *Qirqisânî Studies* (Jews' College Publication No. 6). London, 1918, p. 7.

¹⁴ A. S. Halkin, Louis Ginzberg Jubilee Volume. Hebrew Section. New York, 1945, pp. 131-132.

¹⁵ Saul Lieberman: *שקיעין* Jerusalem, 1939, pp. 11-26.

cover among the Geniza-fragments of the Bodleian Library the 4 pages Rabbanite Prayer-Book fragment¹⁶ which contains the Qirqisânî quotation word for word and another portion of it I found in Budapest among the Geniza-fragments of the Kaufmann Library which is the property of the Hungarian Academy of Science. In the same year I communicated this discovery to my friends who were likewise pursuing research on Qirqisânî, namely, Jacob Neubauer וצוק"ל (Amsterdam) who since met a martyr's death and Leon Nemoy (New Haven). Owing to the war and the great tragedy that had befallen Jewry in general this is the first opportunity to publish it after so many years.

On the basis of the text before us it is quite clear that the Berakha quoted by Qirqisânî preceded the recital of the Psalms. Saadya mentions¹⁷ that the everyday recital of the Psalms is preceded by a Berakha (ברוך שומר) and followed by a Berakha (שחבח). For the Holidays special Psalms were selected.¹⁸ The following doxology was used in the Palestinian Rite to introduce the evening recital of the Psalms: יודו ויברכו שמך על שירי ... יודו בן ישי עבדך ... the morning recital was concluded with an almost identical doxology.²⁰

II. AGAINST WHOM ARE DIRECTED QIRQISÂNÎ'S POLEMICS?

It seems possible that the target of Qirqisânî's attacks is Saadya who asserts that the texts of the Prayers are not laid down in the Bible and that the biblical Prayers are not suitable for common use, therefore one needs to revert to the Prayers com-

¹⁶ MS. Heb. d. 58, pp. 62a-63b. The Catalogue does not say more: "A fragment of a prayer-book with the rules in Arabic." (Neubauer-Cowley: *Catalogue of the Hebrew Manuscripts in the Bodleian Library*. II. Oxford, 1906, p. 49. No. 2658²¹).

¹⁷ *Siddur R. Saadja Gaon*. Jerusalem, 1941, p. ל"ב.

¹⁸ J. Mann: *Genizah fragments of the Palestinian Order of Service*. HUCA. II. 1925, pp. 328-329; Ismar Elbogen: *Der jüdische Gottesdienst in seiner geschichtlichen Entwicklung*³. Fr. a/M., 1931, pp. 137-140; cf. Gábor Ignác, *Semitic Studies in Memory of Immanuel Löw*. Budapest, 1947, pp. 95, 96.

¹⁹ J. Mann, HUCA. II. 1925, p. 324.

²⁰ J. Mann, *Ibid.*, p. 293.

posed by later generations.²¹ On other occasions he attacks the Karaites saying that their Prayers are taken from the Bible.²² Indeed when Qirqisānī says: וְקָד זַעַם בַּעַץ מִן יַחַתָּ לְלִרְבָּאֲנִין וִירָד׃ (i. e. "one who upholds the opinions of the Rabbis has already argued and refuted those who say that the prayers are taken from the Psalms") — the scholars maintain that here he refers to Saadya.²⁴ Salmon b. Yeruḥim also contradicts Saadya in his commentary on the Psalms written in Arabic "saying that the Psalms were not used as prayers outside Jerusalem and the temple." The fact is that David himself sang Psalms outside Jerusalem and before the Temple had been built, nay, even outside the Holy Land too.²⁵

The earlier Karaites use similar arguments in attacking the Rabbanite Prayer; thus Daniel al-Qūmīsi advocates the saying of Psalms instead of the Piyyutim for Fast-days and Yom Kippur:

רַע וְקִשָּׁה מְכַל אֱלֹהִים כִּי גַם בְּהַקְבֵּץ יִשְׂרָאֵל בְּצוּמוֹת וּבְיוֹם כְּפוּרִים שְׁמוּ בְּפִיהֶם דְּבָרִים הַרְבֵּה פִּיט אֲשֶׁר אֵין חֶפֶץ בּוֹ וְלֹא מְזֻמָּר מִן תְּהִלּוֹת . . .²⁶

An anonymous Karaite employs a form of attack similar to that of Qirqisānī on the Rabbanitic view, which earlier Karaites (cf. above) attributed to Saadya with regard to the Prayers:

עַתָּה נִשּׁוּב אֶל רַבְרֵינוּ אֲשֶׁר דִּבְרֵנוּ עַל שְׁאֵרֵי הַגּוּלָּה נִשּׁוּב אֶל תְּפִלּוֹת הַנְּבִיאִים הַכְּתוּבֹת בַּחֲזֹרָה וּבְנִבְיָאִים וּבְכְתוּבִים אַחֲרֵי הַתְּפִלָּה בַּחֲזֹרָה רִיחוּטִין שְׁנִים רַבּוֹת

²¹ *Siddur R. Saadja Gaon*, pp. י', חכ'.

²² אשא משלי ed. B. M. Lewin. Jerusalem, 1943, pp. 9, 42.

²³ *Kitāb al-Anwār wal-Marāqib*. Ed. Leon Nemoy. III. New York, 1941, p. 6095–6 (VI.17.2). Poznański (*The Karaite Literary Opponents of Saadia Gaon*. London, 1908, p. 10) did not find the passage in Qirqisānī.

²⁴ Poznański: *L. c.*, p. 10; I. Davidson: *Maḥzor Yannai*. New York, 1919, p. XLIII.

²⁵ A. Neubauer, *Studia Biblica*. II. Oxford, MDCCCXC, p. 18. According to Louis Ginzberg Saadya never said this (נניי שעכטער II. New York, 1929, p. 436).

²⁶ In his commentary on Leviticus. See J. Mann, *JQR*, N. S. XII. 1921–1922, p. 474; cf. J. Mann: *Texts and Studies*. II. Philadelphia, 1935, p. 51, note 97 (for תהלות read תהלים).

ואמרים כי השירות והזמירות היו אבותינו מתפללים על המזבח והיום אין לנו להתפלל שירות עד זמן העתיד לבוא וכן (צ"ל אף על פי כן) הם אומ' בשירי דויד עברך נהללך יי' אלהינו בשבחו ובשירו וברבר זה נבהלו הפתיים ותמהו מאד ונסגו אחור מהתפלל בתפלה ולמשה (צ"ל למשה) ותהלות דוד ומשכיל לאסף והימן ואיתן...²⁷

We see here, as it is found often in Karaite Literature,²⁸ the same accusation being handed down from one author to the next and it being directed openly or in a veiled form against Saadya.

III. THE RITE OF THE PRAYER-BOOK FRAGMENTS

Based on the aforesaid we could assume that this Qirqisânî's Prayer-Book quotation originates from Saadya's Prayer-Book. Qirqisânî could have used Saadya's Prayer-Book since he composed it at Bagdad before his ascendancy to the gaonate,²⁹ that is — at least — 10 years before the *Kitâb al-Anwâr wal-Marâqib*. The quotation is not to be found in Saadya's Prayer-Book and our fragments do not originate from it either. The penitential piyyut beg. דרך סירכתי does not occur in Saadya's *Siddur* though he has written a piyyut with similar theme and construction.³⁰ The הושענא does not agree with that of Saadya. The fragments follow the Palestinian Rite as it will be shown in the notes and parallels accompanying the texts. This theory is supported in particular by the Berakhot to be found in both.³¹ The Palestinian Rite made great inroads in Egypt, hence its appearance in the Geniza discovered there.³²

²⁷ Louis Ginzberg: גנוי שעכטער II. New York, 1929, pp. 439-440/14-22.

²⁸ See A. Scheiber, Jubilee Volume in Honour of Prof. Bernhard Heller. Budapest, 1941. Hebrew section, pp. 108-119.

²⁹ Assaf, *Siddur R. Saadja Gaon*, p. 23; Ginzberg, JQR, N. S. XXXIII. 1942, p. 342.

³⁰ *Siddur R. Saadja Gaon*, p. ח"ט. Gustav Ormann does not know of such a penitential piyyut either (*Das Sündenbekenntnis des Versöhnungstages*. Fr. a/M., 1934).

³¹ Cf. Elbogen: *Der jüdische Gottesdienst*, Fr. a/M., 1931, pp. 138-139.

³² Elbogen: *Studien zur Geschichte des jüdischen Gottesdienstes*. Berlin, 1907, pp. 21, 44; Paul E. Kahle: *The Cairo Geniza*. London, 1947, p. 21 ff.

We could summarise the aforesaid as follows:

1. Qirqisânî used a Rabbanite Prayer-Book of the Palestinian Rite and not that of Saadya, though to have done so would have been more natural.

2. We may also assume that the other portions of the Rabbanite Prayer-Book and the liturgical pieces quoted by Qirqisânî are also of the Palestinian Rite. We wish to deal with this point separately.³³

Let the texts now speak for themselves. I have omitted punctuation from both texts for technical reasons.

[During the reading of the proofs I received the important article of Prof. S. Assaf³⁴ by courtesy of my friend Shlomo Shunami. Prof. Assaf's data fully validate the conclusions of my article. In two of the Geniza texts in the Palestinian Rite published by him the looked-for-line of Qirqisânî can be found; consequently, these fragments are also further pieces of the Prayer-Book type used by Qirqisânî. MS. Antonin 995 (p. 2a) of Leningrad contains the following lines at the end of ברוך „ברוך אשר בחר בדוד עבדו ורצה בשירו ובזמרו“³⁵ שאמר (p. 2a) of the Cairo Moseri Collection the text of the morning Prayer contains the following lines:³⁶ „ברוך אתה יי' אלהינו מלך“, „העולם אשר בחר בדוד עבדו... ורצה בתהלתו ובשירי קדשו...“.

Assaf's edition of text is very instructive and useful from another viewpoint also. Like our text Nr. I. (l. 41.) MS. T.-S. 10. H. 11³ prescribes Psalm 122 for the Psalm of Sukkot.³⁷]

³³ See *Kitâb al-Anwâr wal-Marâqib*. Ed. Leon Nemoy. V. New York, 1943, p. 042. s. v. Liturgical quotations. Naphtali Wieder had already mentioned Rabbanite rite of worship to which he objects (השפעות אסלאמיות על) הפולחן היהודי Oxford, MDCCCCXLVII, pp. 49-50). In a forthcoming article of mine I publish the Qalîr composition quoted by Qirqisânî: פיוט קלירי המובא גינזא קאפמאן. I. Budapest, 1949. pp. 3-41. We have to refer to G. Vajda's valuable studies on Qirqisânî: *Etudes sur Qirqisânî*. REJ. N. S. VI. (CVI). 1941-1945. pp. 87-123.; VII. (CVII). 1946-1947. pp. 52-98.; VIII. (CVIII). 1948. pp. 63-91.

³⁴ Assaf: מסדר התפילה בארץ ישראל B. Dinaburg Jubilee Volume. Jerusalem, 1948. pp. 116-131.

³⁵ *Loc. cit.* p. 123.

³⁶ *Ibid.* p. 124.

³⁷ *Ibid.* p. 128.; see also MS. Heb. e. 41. of the Bodleian Library p. 131b (*ibid.* p. 128, note 3).

מַצְתִּי אֹרֵךְ לִי כְּשִׁוְיַתְּךָ מִלִּי מוֹרָאִים
עֵינֵיךָ לֶכֶן בְּעֹלֹת בֵּין תִּיּוֹת וּפְרָאִים
כִּבְיַטְלֹתִי דִּיבֹרֹוּ בִּשְׁמִיטָה סְפָרִי כְּבִיאִים
חֲטָאֵט צוֹרֵט סִלְחֹלֵט יוֹשֵׁר
קִשְׁדֹּתִי מִרְחֹץ כְּאֲבָלִים תְּשֻׁבִים רֹאשׁ
חֵיטְרֹתִי כִרְשָׁעִים חֲזִיבִים שִׁבְתִּי לְהַתְחַנֵּן
וּלְרַמֵּךְ נִיכָסִים וְאִם כִּיטְלֹתִי דִּיבֹרֹוּ
בְּאַחֵר עֲשֵׂר סְפָרִי כְּתוּבִים חֲטָאֵט
תִּקְנָא קִנְיָת עִם רְחוּמִיךָ תִּבְנֶה
לְמוֹ בֵּית הַרְוּמִיךָ תִּבְרָתָם עֲלִינוּ מִשְׁאֲמִי
שְׁמִיךָ כִּי שְׁמֶךָ נִקְדָּא עַל עֶדְרֵךְ וְעַל עַמִּיךָ
וּלְיִלָּה אִסּוּכָה יִגְבַּימְתְּרִי וַיִּקּוֹל
בְּרוּךְ אַתָּה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר בָּחַר
בְּדָוִד עַבְדְּךָ וְדָעָה בְּתַהֲלֹתָי וּבְשִׁירֵי קִדְשׁוֹ
לְהַלְלֵךְ לְשִׁבְחוֹ לְפָאֲרוֹ עַל רֹב גְּבוּרֹתָיו
כֻּלְּחַיִּים בְּרוּךְ אַתָּה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם יִשׁוּעָה
שְׁלִימָה קְרוּבָה לְעַמּוֹ וּבֵטָח יְרוּשָׁלַם
מִזְמוֹר אִסּוּכָה שִׁיר הַמַּעֲלוֹת לְדָוִד

I

(כ"י אוכספורד מס' 2658²¹ סי' 58 MS. Heb. d.)

[יום הכפורים וסכות]

- [62a] דרך סירכתי והבאשתי עלומות.
הברית הפרתי ושניתי נאימות.
ולך לברך חטאתי עד תסלח חטא ואשמות.
ואם בטלתי דיבורך בספר ואלה שמות.
5 חטאנו צורנו.
- זרתי לשנות נאמך באין פחד ומורא.
חטאתי ועויתי ועברתי דרך ישרה.
טיעמתי וידויי פניך איום ונורא.
ואם שניתי מילולך בספר ויקרא.
10 חטאנו צורנו.
- יהרתי להעזי מצח חטא על חטא לחבר.
כשל כוחי ומשל אויב אותי להדבר.
למענך תהי על חטאי ופשעי עובר.
ואם ביטלתי שינוך בספר וידבר.
15 חטאנו צורנו סלח לנו יוצ
- מידרתי להבל ונטשתי מילי מוכשרים.
נטשתי נואם חקוק בעשרת הדברים.
סחתי חניני כי שבעתי לען ומרורים.
וביטלתי ייחורך בספר אלה הדברים.
20 חטאנו צורנו סלח לנו יוצ
- על מיליך עברתי והחביתי בבתי כלאים.
פצתי אוי לי כשיניתי מילי מוראים. [62b]
ציערני לכן בגלות בין חיות ופראים.
כביטלתי דיבורו בשמנה ספרי נביאים.
25 חטאנו צורנו סלח לנו יוצר

■ חטאנו צורנו] עי' ש' שכטר ברבעון האנגלי JQR כרך X, 1898, עמ' 667: תם יסנר ויקול. חטאנו צורינו סלח לנו יוצרנו.
■ לען] תחת לענה.

קשרתי מרוח כאבלים תעובים.
ראש הינרתי כרשעים וחיבים.
שבתי להתחנן ולרכך גיבים.
ואב ביטלתי דיבורך באחר עשר ספרי כתובים.

חסאנו

30

תקנא קנאת עם רחומך.
תבנה למו בית הרומך.
תרחם עלינו ששבי שמך.
כי שמך נקרא על עירך ועל עמך.

ולילה אלסוכה יגב יבתרי ויקול
ברוך אתה יי' אלהנו מלך העולם אשר בחר
ברור עבדו ורצה בתהלתו ובשירי קדשו
להללו לשבחו לפארו על רוב גבורותיו
כל הימים ברוך אתה יי' מצמיח ישועה
שלימה קרובה לעמו ובנה ירושלם
מזמור אלסוכה שיר המעלות לדוד

35

יום חג הסכות הזה סוף וקץ לכל צרותינו תחלה
וראש לישועתינו. ועינינו תאיר
בבית מאווינו וחס נראה לפניך בשלוש פעמי
רגלינו ככתוב בתורתך שלש פעמים ביום
יראה כל זכורך את פני יי' אלהיך במקום אשר
יבחר בחג המצות ובחג השבועות ובחג הסכות
ולא יראה את פני יי' ריקם איש כמתנת

[63a]

45

34 כי שמך נקרא דינאל ט', י"ט.

35 ולילה אלסוכה בעברית: ובליל סכות חייב להתחיל ויאמר.

36 אשר בחר] השורה הזאת נזכרה מהקראי אלקרקסאני עי' בספרו Kitâb al-Anwâr wal-Marâqib הוצ' נימיו. כרך I. נזירק, 1039. עמ' 16, שורות 2-3; כרך III. שם, 1941. עמ' 608, שורות 13-14.

41 שיר המעלות לדוד] אפשר למלא עי' מאנן בקובץ HUCA כרך II. 1025. עמ' 332: חס תקול מזמור אלעיד והו שיר המעלות לדוד שמחתי... שלום בך למען בית יי' אלהינו אבקשה טוב לך. (תהלים כ"ב). בין עמ' 62b ועמ' דפים אחדים חסרים.

42 יום חג הסכות] מכאן ואילך עד רצה (שורה 68) עי' אלבונן בירחון [MGW] כרך LV. 1911. עמ' 444 (מוסף של סכות; אחר ואותנו קידשת [שורה 62] ע"כ יש למצוא: ונעשה לפניך את חובותינו חמדי יום וקרנן מוסף); עמ' 445-446 (ע"כ מוסף של סכות; תחת ויום-חג סכות [שורה 62] אלא לקרוא ומועדי קדשך).
43-42 סוף וקץ... לישועתינו עי' אלבונן, שם, עמ' 439 (שמני עצרת); עמ' 442 יום הכפורים).

43 שלש פעמים עי' דברים ט"ז, ט"ז-י"ז.

ידו כברכת יי' אלהיך אשר נתן לך והשיאנו יי'
 אלהנו את ברכת מועדיך לשלום כאשר אמר
 ורצית כן תברכנו סלה כי בישראל עמך בחרת
 ואותנו קירשת ויום חג הסוכות הזה באהבה
 ושמחה הנחלתנו בך אתה יי' מקדש
 ישראל וחג הסוכות ומועדי שמחה והזמנים
 והרגלים ומקראי קדש רצה יי' אלהנו וְ

וארא הו אצלח אלסוכה ורכל

פיהא פניב יברך ארא הו דכלהא ברוך
 אתה יי' אלהנו מלך העולם אשר קדשנו במצותיו
 וצונו לשב בסוכה בסכות חשבו שבעת ימים
 כל האורח ביש ישבו בסכות למען ידעו דורותכם
 כי בסוכות הושבתי את בני ישראל בהוציא אותם
 מארץ מצרים אני יי' אלהיכם וידבר משה את
 מועדי יי' אל בני ישראל ברוך אתה יי' אלהנו
 מלך העולם שהחיינו וקימנו והגיענו לזמן הזה
 וארא הו חמל אללולב פיברך עליה

ברוך אתה יי' אלהנו מלך העולם אשר קדשנו
 במצותיו וצונו על נטילת לולב. ויקול
 עליה אלהלל בגמלתה. ויחרך באללולב
 טאלעא ונאזלא מארא וגאא
 ויקול עליה כו ערף מן אביאת הושענא
 למענך אלהינו הושענא
 למענך בוראנו הוש
 למענך גואלינו הוש

49 והשיאנו עי' מאנן ב-HUCA כרך II. 1925. עמ' 331 (שתי נסחאות ליום הכפורים);
 אלבונו בירחון MGWJ כרך LV. 1911. עמ' 439-440 ועמ' 587 (ב' נסחאות לשמיני עצרת);
 עמ' 443 (ליום הכפורים).

53 מקדש על הברכה עי' מאנן ב-HUCA שם, עמ' 329, 331 (ב' נסחאות לראש השנה);
 אלבונו בירחון MGWJ שם, עמ' 434-435 (לראש השנה); עמ' 438 (לשמיני עצרת).
 56 וארא בעברית: כאשר הוא הכין את הסכה ונכנס בחוכה צריך לברך כאשר הוא

נכנס בה.

59 בסכות תשבון עי' ויקרא כ"ג, מ"ב: תחת בסכות יש למצוא בסכות.

60 למען ידעון עי' ויקרא כ"ג, מ"ג: תחת דורותכם יש לקרוא דורותיכם;
 כאן בסוכות במקום בסכות.

62 וידבר משה עי' ויקרא כ"ג, מ"ד: מועדי במקום מ'עדי.

65 וארא בעברית: וכאשר הוא הרים את הלולב או יברך עליה.

67 ויקול בעברית: ויאמר עליו את ההלל בשלימותו. והניף את הלולב למעלה למטה
 הלך ושוב. ויאמר עליו מה שנודע מן הבית ה. א. א. פיוטן הושענא.

למענך חורנו והדרנו הוש	למען זוכרנו הוש	
למענך חשקינו הוש	למענך טובינו הוש	
למענך ידידינו הוש	למענך כבירנו הוש	75
למענך לבובינו הוש	למענך מלכנו הוש	
למענך נגידינו הוש	למענך סומכנו הוש	
למענך עזרנו הוש	למענך פורנו הוש	

II

(כ"י מגנזי דוד קויפמן ברשות האקדמיה המדעית ההונגרית בבודפשט.
שני דפים קלף כתובים באותיות מרובעות. מרת הרף 11 X 17 צנטימטר.
15 שורות בעמוד)

[יום שביעי של פסח]

[1a]	[והשיאנו] יי"י אלהינו את ברכת מועדיך לשלום כאשר אמרת ורצית כן תברכנו סלה כי בישראל עמך בחרת מכל העמים ומועדי קדשך באהבה ובשמחה הנחלתנו	5
	בן אתה יי"י מקדש ישראל ושביעי חג המצות ומועדי שמחה והזמנים ומקראי קדש תם יתם אלצלאה אלי עושה השלום תם בעד דלך	
10	צלאה מוסף יקול תהלה לדויד אלי אכרהא תם יקול יי"י שפתי אלי האל הקדוש תם יקול אתה בחרתה ביש עמך מכל עם זרע ישורון רציתו מכל לשון	

1 והשיאנו] עי' אלבונן בירחון MGWJ כרך LVIII. 1914. עמ' 323 (לחג השבועות).
עמ' 324 (לשביעי של פסח).

[8 בעברית: או יומר את התפלה עד.

[9 בעברית: עושה השלום. או אחרי זה.

[10 בעברית: תפלת מוסף. יאמר תהלה לדויד (עי' תהל' קמ"ה).

[11 בעברית: עד סופה. או יאמר יי"י שפתי.

[12 בעברית: עד האל הקדוש. או יאמר אתה.

12 אתה בחרתה] מכאן ואילך עד הר סיני [שורה 16] עי' אלבונן בירחון MGWJ כרך
LV. 1911. עמ' 433-434 (לפסח), עמ' 435 (ליום הכפורים), עמ' 436-437 (לשמיני עצרת).

- ותגיש לפני חורב ותקרבם 15
 באהבה סביבות הר [סיני ותתן] לנו [1b]
 יי' אלהנו באהבה מועדים לשמחה
 את יום מקרא קדש הזה את
 יום שביעי חג המצות הזה להקריב בו
 קרבן מוסף כל בתורתך והקרבתם 20
 אשה עלה ליי' פרים בני בקר שנים
 ואיל אחד ושבעה כבשים בני
 שנה תמימים יהיו לכם. ומנחתם
 סלח בלולה בשמן שלשה עשרנים
 לפר ושני עשרונים לאיל תעשו. 25
 עשרון עשרון תעשה לכבש
 האחד לשבעת הכבשים. ושעיר
 חטאת אחד לכפר עליכם. מלבד
 עלת הבקר אשר לעולת התמיד תעשו את אלה.
 כאלה תעשו ליום 30
 שבעת ימים] לחם אשה ריח ניחח
 ליי' [על עול]ת התמיד יעשה ונסכו. [2a]
 וביום השביעי מקרא קדש יהיה
 לכם כל מלאכת עבודה לא תעשו ס
 לעיר בית חיינו יעלו רגלינו להראות 35
 לך שלוש פעמי רגלינו ככתוב
 בתורתך שלוש פעמים בשנה יראה
 כל זכורך את פני יי' אלהיך במקום
 אשר יבחר בחג המצות ובחג השבוע

- 16 סיני] השלמתי ע"פ אלבוגן, שם, עמ' 434 (לפסח); 435 (ליום הכפורים); 436, 586
 (לשמיני עצרת). ותתן לנו] מכאן ואילך עד כל זכורך [שורה 38] עי' שם, עמ' 440 (לפסח)
 19 שביעי] מלה זו כתובה בשולי העמוד.
 20 והקרבתם] עי' במ' כ"ח, י"ט. במקום תמימים צ"ל תמימים.
 23 ומנחתם] עי' במ' כ"ח, כ'. במקום עשרונים צ"ל עשרנים.
 24 עשרון עשרון] שם, כ"א.
 27 ושעיר חטאת] שם, כ"ב.
 28 מלבד] שם, כ"ג. במקום לעולת צ"ל לעלת.
 29 הבקר] לעולת] מלות אלו כתובות בשולי העמוד.
 30 כאלה] שם, כ"ד.
 33 וביום השביעי] שם, כ"ה. במקום עבודה צ"ל עבדה.
 35 חיינו] ע"כ צריך לתקן בנסחאת אלבוגן (בירחון MGWJ שם, עמ' 440 שורה 8)
 הא' לח'.
 37 שלוש פעמים] עי' דברים ט"ז, ט"ז.

ובחג הסכות	אלהינו ואלהי	40
אבותינו גלה כבוד מלכותך ומלוך	על ישראל עמך במהרה והופע	
הנשא עלינו לעני כל חי וקרב	פזורנו מבן הנזים ונפוצותינו	
כנס מירכתי ארץ והביאנו יי'	אלהינו לציון עירך בן רנה ולירו שלים	45
בת מקדשך בשמחת [עולם] אנה	אלהינו יעלה ויבא יגיע יראה ירצה	[2b]
ישמע זכר יפקד זכרונינו פקדוננו וזכרון	עמך בית ישראל עירך ארצך	50
היכלך מקדשך מעונך נווך פלמחך	לפניך יי' אלהינו לטובה ולרחמים ביום	
ביום מקרא קדש הזה ביום שביעי	חג המצות הזה זכרנו בו לטובה	
יי' אלהנו ופקדנו בו לברכה ולרחמים	מלכינו חוסה אתה יי' אלהינו הגן	55
והרוח הצל וחמול ורחם עלינו	והושיענו וחנינו והרוח לנו	
מצרותינו כי אליך עינינו כי אל חנון	ורחום אתה לבדך נקראתה	60

40 אלהינו] עי' אלבונן במקום הנזכר עמ' 437, 439, 587 (לשמיני עצרת); עמ' 444, 445 (לסכות).

47 עולם] עי' אלבונן במקום הנזכר עמ' 437, 444, 445, 587. אנה] צ"ל אנא. נמצא כבר במס' סופרים (י"ט, ז'): והיכן קילוסו אלהינו ואלהי אבותינו גלה כבוד מלכותך עלינו ואחריו אנא יי' אלהינו ■ יעלה ויבא; עי' עוד אלבונן במקום הנזכר עמ' 434 (לראש השנה); עמ' 439 (לשמיני עצרת).

49 פקדוננו] בשולי העמוד.

63 ביום] המלה הזאת רק dittographia.

67 ורחם עלינו והושיענו וחנינו] כן גם אצל אלבונן במקום הנזכר עמ' 439, 444, אבל בעמ' 437 חסר.

■ וחנינו] dittographia; ג' נסחאות גורסות (עי' אלבונן, שם. עמ' 439, 444, 587) וענינו.

THE ASTRONOMY OF MAIMONIDES AND ITS SOURCES

O. NEUGEBAUER, Brown University, Providence, R. I.

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THE ASTRONOMY OF MAIMONIDES AND ITS SOURCES

INTRODUCTION

MATHEMATICAL astronomy owes an enormous debt to the institution of lunar calendars. The apparently simple question whether a month will be full or hollow, i. e., whether the new crescent will be visible on the evening of the 29th or of the 30th day, led Babylonian astronomers of the fourth century B.C. to ingeniously constructed arithmetical devices which enabled them to compute ephemerides of great accuracy for the movement of the sun and the moon. We know practically nothing about the underlying concepts concerning the physical nature of the treated phenomena. In contrast, we are well informed about the geometrical interpretation which formed the basis of the corresponding theory of Greek astronomers, at least so far as reflected in the *Almagest*. Finally, Ptolemy himself brought the theory of the planetary movement to the same level which the lunar theory had reached centuries before.

In the course of this development, the problem of the visibility of the new crescent disappears almost completely from Greek astronomy. The originally lunar character of the local Greek calendars was apparently overshadowed in comparatively early times by institutions which depended on the civil administration. Thus Meton's attempt in 432 B.C. to introduce order and regularity into the Athenian calendar met with no success. Its principle, however, a simple cyclic arrangement for the intercalation of lunar months in order to obtain periodical agreement between solar and lunar phenomena, had the greatest influence on the future development. This is not the place to discuss the question whether the "Metonic cycle" was Meton's own invention or was of Babylonian origin. All that we know with certainty

is that this same cycle became the regulating principle of the Mesopotamian luni-solar calendar during the very same period, thus preceding by a century or a century and a half the successful attack of the visibility problem.

Usefulness and tradition kept this cyclic calendar alive for many centuries, spreading with small variations all over the ancient Near East. Its principle is reflected in the computation of Easter. Though the discussion of this problem was not free of the violence which is so conspicuous in the development of the various Christian doctrines, the focusing of a dogmatic interest on a calendaric problem contributed to the preservation at least of some astronomical tradition in mediaeval Europe.

We know very little about what happened to the theoretical part of Babylonian lunar theory. Lunar ephemerides are preserved almost to the very latest years of cuneiform writing on clay tablets, i. e. to the last decades B.C. Astronomers like Hipparchus who utilized Babylonian experiences and methods might have obtained their information from Greeks living in Mesopotamia, perhaps more so than from men of the type of Berosus, whose (admittedly very fragmentary) writings do not reflect any knowledge of technical details. For the Near East it might be agreed that Babylonian astronomy may have been preserved in Aramaic and Hebrew books, now totally lost. A hypothesis of this type needs specification if it is to be considered seriously. The extant Babylonian texts are "ephemerides," computed for specific years, or "procedure texts" containing rules in extremely condensed and often enigmatic form for the practical computation of these ephemerides. To understand them, a simultaneous oral tradition must be assumed. With the disappearance of this tradition and with the halt of the year-by-year computation of ephemerides, there was nothing left to be handed down in Aramaic or Hebrew. Only if we assume that the problem of lunar visibility itself remained of active interest, is the continuity of Babylonian tradition worth discussing as a hypothesis.

From this viewpoint it is only natural to investigate the Jewish calendar for its relation with Babylonian astronomy. Its strictly lunar character is well known; the conditions for

direct contact are most favorable, and, at the same time, the need for accurate prediction instead of witnessed observations must have been felt most urgently. In a paper published in 1919, D. Sidersky tried to show that a Babylonian ephemeris for the year 133/132 B.C. used criteria for the visibility of the new crescent which were essentially the same as those still used by Maimonides 1300 years later.¹ It was this relationship which gave the original impetus to the present investigation. Nevertheless, we will not have to discuss Babylonian methods in the following paragraphs. Sidersky had only one ephemeris at his disposal and even this text was not complete. Neither the now completed text nor additional ephemerides confirm Sidersky's results. Though there undoubtedly exists a certain parallelism between the Babylonian approach to the visibility problem and the methods found in Maimonides's work on the Sanctification of the Moon, there is no hope of establishing a direct connection with Babylonian astronomy. The present paper is intended to reach a much more modest goal, namely to establish a very close relationship between Maimonides and Al-Battānī (ca. 900 A.D.), at least so far as mathematical astronomy is concerned. As to the purely calendaric part of Maimonides's work, the relation with Jewish tradition is evident to such a degree that it can be justly doubted whether Maimonides added anything of his own to this part of his subject. At any rate, I do not feel qualified to pass judgment on this question.² All parts, however, of Maimonides's astronomical work offer so much of interest that I shall not exclude those sections where I must leave the question of authorship unanswered. Whatever the origin of any part of Maimonides's treatise might be, the presentation of the material shows everywhere the great personality of the author and supreme mastery of a subject, worthy of our greatest admiration.

¹ Cf. the Bibliography under Sidersky [1].

² It is evident, however, that Friedländer's statement (Guide p. XXII) "The section on the Jewish Calendar . . . may be considered as his original work" cannot be literally true. It suffices to quote Al-Bīrūnī, *Chronology of Ancient Nations*, chapter VII (written 1000 A.D.) where all the essential elements of the cyclic Jewish calendar are described.

MOLADOTH AND TEKUFOTH

1. When I wrote in the Introduction that Sidersky's assumption of a direct connection between Maimonides and Babylonian astronomy cannot be upheld, I did not mean to deny the existence of an indirect relation of a more general kind. It is evident, e. g., that the use of the division of the circle into 360 degrees and their sexagesimal parts is of Babylonian origin, as is also the division of the zodiac.

Less obvious, however, is the fact that the division of the hour in 1080 "parts" (chelakim) also points to the use of Babylonian units. Maimonides, in VI,2,¹ motivates the choice of this fraction by the fact that 1080 contains all integers from 1 to 10 as its divisors with the sole exception of 7. Yet this quality would be shared by 360, not to mention the fact that metrological units are not constructed in such an artificial way but are the outgrowth of practical needs and many compromises between disparate systems. In our specific case, we must go back to the Old-Babylonian unit of the "Barleycorn" (called še in Sumerian) which is $1/180$ of the shekel. This relation was still kept alive in the Neo-Babylonian period² and is again attested in use in the ephemerides of the Seleucid period as $1/180$ of the cubit.³ Because 1 cubit corresponds to $2\frac{1}{2}^\circ$ we find that 15° contain 1080 barleycorn. But 15° of the equator correspond to one hour, which gives the relation we have under discussion. It might be added that the "barleycorn" as a metrological unit for terrestrial distances is well attested in oriental sources.⁴

Another case of continued Babylonian tradition was already mentioned, namely, the Metonic cycle of intercalation. During

¹ References of this kind always mean chapter and section of the "Sanctification of the Moon."

² Cf. Sachs [1].

³ Cf. Neugebauer [1].

⁴ Without attempting completeness I quote: Old Armenian (7th or 8th century) Mžik [1] p. 43, p. 87. Bar-Hebraeus (ca 1250), Nau p. 178. Abū-l-Fidā (ca 1300), Reinaud I p. 264 ff. Cf. also Sauvair [1] p. 482 and Neugebauer [2] p. 280.

19 years a 13th month must be added 7 times. In VI,11 Maimonides gives the numbers of these intercalary years within the cycle as 3, 6, 8, 11, 14, 17 and 19. Exactly the same arrangement is found in the Babylonian calendar of the Seleucid period⁵ if we identify the year which intercalates a second Ulul with the year 17.⁶

Finally we must mention an important astronomical constant: the length of the mean synodic month. If we transform the value of $29\frac{1}{2}$ days 793 parts, given by Maimonides in VI,3, into days and sexagesimal fractions we obtain*

$$m = 29;31,50,8,20^d$$

This value is well known, e. g., from the *Almagest* (IV,2) and is the basis for System B of the Babylonian lunar theory.⁷ It is equally fundamental for the Jewish calendar system.

Similar relations can be established for other constants, though without adding any new insight into the transmission of astronomical knowledge from Babylonian sources into Greek and Arabic science. For Maimonides all these sources might be called "indirect sources" whose actual origin was certainly unknown to him.

2. The above-mentioned value m for the "mean synodic month" is a mean value in the proper sense of the word. Though the length of the real synodic months shows considerable variation, a mean value can be obtained by dividing the total length of a great number of synodic months by their number. Without discussing the details of this well known method, it is clear that a value m of great accuracy can be reached if one has a sufficiently long interval of observations at one's disposal.

The schematic calendar, discussed by Maimonides in the

* Kugler, SSB I, p. 212.

⁵ Al-Bīrūnī, *Chronol.* p. 64/65 (transl. Sachau) mentions three different countings of this same cycle as being used by the Jews. The years corresponding to a second Ulul are 16, 15 and 14 respectively, thus different from Maimonides. The last counting is said to be of Babylonian origin and thus most popular among the Jews.

⁶ Here and in the following we use a semicolon to separate integers from sexagesimal fractions. Thus $29;31^d$ means $29 + 31/60$ days. Similarly $5;20,6'' = 5^\circ 20' 6''$ etc.

⁷ Kugler, BMR p. 7, p. 24, p. 111.

chapters VI to X of the Sanctification of the Moon (and similarly in an earlier independent little treatise⁸), is based on this value m for the mean synodic month. The years of the world are counted from the first of Tishre of the first year, and this day is supposed to have fallen on the second day of the week, which we denote by (2), counting Sabbath as (7). The moment

$$\text{year 1 Tishre 1 } 5^h 204^p$$

is denoted (VI,8) as "*molad Tishre*" of the first year (1^p being the above-mentioned "part" = 1/1080 of one hour). Adding to this moment the constant amount

$$m = 29\frac{1}{2}^d 793^p$$

we obtain the "*molad*" of the next month (VI,15). Adding six times the value of m to the molad Tishre we obtain the "*molad Nisan*" of the first year

$$\text{year 1 Nisan 1 } 9^h 642^p$$

which is the 4th day of a week. Proceeding in this fashion, we obtain a sequence of moladoth with constant interval m from molad to molad. Each day into which a molad falls is in principle the first day of a month; "in principle" means that there are certain rules (chapter VII) according to which the beginning of a month must be postponed for one or two days, e. g. if the molad falls on one of the days (1), (4) or (6) of the week (VII,1). These exceptions, however, influence only the beginning of individual months and do not disturb the regular arrangement of the moladoth.

It is customary to consider the moladoth as "mean conjunctions." We shall show presently that this is not accurate. To this end, we must first define the concept "mean conjunction." As before, we can find mean values for the movement of the sun and the moon, and we can introduce ideal celestial bodies, called "mean sun" and "mean moon," which move exactly with these mean velocities. The real sun and the real moon will alternately move faster or slower than the mean bodies. It is evident that the conjunctions of the mean sun and the mean moon will always be equidistant with the value m as interval. It is also evident that we know all these "*mean conjunctions*"

⁸ Published by Dünner; written 1158 A.D.

if we decide about the moment of any one of them. Because the mean conjunctions show the same distance m from each other which was used for the definition of the moladoth, it suffices to investigate the relation between any one molad and the nearest mean conjunction. If *one* such pair coincides, *all* moladoth will fall on mean conjunctions. On the other hand, a single discrepancy proves separation between all moladoth and all mean conjunctions.

The choice which was made for the position of the mean conjunctions can readily be determined from the following remarks. In XII,4 we are told that in the year 4938 of the world Nisan 3 0^h, the mean sun was in Υ 7;3,32°; and from XIV,4 we learn that the mean moon was at the same moment in Υ 1;14,43°. From XIV,2 we know that the mean velocity of the moon is 13;10,35°/d, of the sun 0;59,8°/d. Thus the mean elongation is 12;11,27°/d. Because the elongation on Nisan 3 0^h was 24;11,11°, it is evident that a mean conjunction fell very little less than 2 days earlier, i. e. in the first hour of Nisan 1. Because we are also told (in XI,16 or in XII,4 etc.) that the Nisan 3 of the epoch 4938 fell on the fifth day of a week, we know that the mean conjunction in question fell on Nisan 1 0^h 415^p and that this day was the third day of a week.

It is now easy to prove that the moladoth never coincides with mean conjunctions. The 4937 completed years from the beginning of the world up to the above epoch contain 259 cycles of 19 years (of 235 months each) and 16 additional years, 6 of which are intercalary years.⁹ If we multiply the corresponding total number of months by the value of m and reduce the result modulo 7 days* we obtain 5^d 16^h 79^p. We now use the fact that according to definition

$$\text{molad Nisan of the year } 1 = (4)^d 9^h 642^p.$$

Thus we obtain by adding 5^d 16^h 79^p for the molad Nisan 4938

$$\text{molad Nisan of the year } 4938 = (3)^d 1^h 721^p.$$

But we have already seen that the corresponding mean conjunction fell on (3)^d 0^h 415^p i. e. 1^h earlier. Hence all moladoth

⁹ Cf. the rule in VI, 11 quoted above p. 326.

* This is the standard mathematical terminology for saying that we disregard multiples of 7. Cf. note * on p. 333.

follow all corresponding mean conjunctions by the same amount.¹⁰

The conventional statement that the moladoth are the mean conjunctions is thus proved to be false. This would not be too interesting in itself if Maimonides did not seem to have overlooked the consequences of the definitions which he himself gave. In VI,1 he seems indeed to indicate that molad means mean conjunction.¹¹ The question arises how such a statement can be explained. It seems to me that the way to the answer can be found from the fact that Maimonides makes an equally wrong statement about the tekufoth. In IX,3 he says that the four "*tekufoth*" coincide with the entry of the sun into the signs of Aries, Cancer, Libra and Sagittarius respectively. On the other hand, in IX,2 the distance from tekufah to tekufah is defined to be exactly one quarter of the "solar year" (VI,4) of $365\frac{1}{4}$ days. But no ancient or mediaeval astronomer was unaware of the fact that the solar year is not exactly $365\frac{1}{4}$ days long and, most important, that the four seasons are of unequal length. This latter fact is the foundation for the determination of the eccentricity of the solar orbit, and it would be absurd to assume that Maimonides was ignorant of so fundamental an element. But we have even the explicit assurance that he had full insight into these facts. In X,1 he refers to the much more accurate year of R. Adda, and in XIII,10 he remarks that the anomaly of the solar movement can be used in turn to determine the length of the seasons.

These observations fit exactly the situation which characterizes the whole section on the "Sanctification of the Moon" in the Mishnah Torah. On the one hand, chapters VI to X teach a purely schematic determination of the beginning of the months. Chapters XI to XVII, however, contain the most accurate methods for the determination of the moment of real visibility which will only accidentally lead to the same result as provided by the schematic calendar. Thus it is not surprising at all to find in the calendaric section "molad" called "mean

¹⁰ The exact amount of the difference can be easily computed but is hardly significant.

¹¹ Similarly in his earlier treatise on the calendar (cf. Dünner. p. 28).

conjunction" and the tekufoth identified with the characteristic points of the year while the astronomically exact definitions are reserved for the second part, leading to different results. In other words "molad" in the first part is used in its original historical sense, while the added explanation as "mean" conjunction is strictly speaking correct only in so far as the distances between these moladoth is exactly the distance between mean conjunctions. But Maimonides did not see any need to underline the fact that the astronomically accurate definitions would lead to slightly different moments — a fact which must have been evident to every astronomer of his time.

It is interesting to remark that the same situation prevailed in the Seleucid period in Babylonia. Kugler found already 50 years ago^{11a} that the lunar ephemerides recognized the anomaly of the sun and consequently the inequality of the seasons. But it was only recently that it became evident that all solstices and equinoxes which we find in the so-called observation texts were not observed but computed according to a simple scheme.^{11b} In this scheme the "tekufoth" are spaced evenly over the year and follow each other with constant time interval such that the same dates are restored after the completion of a 19-year cycle. Thus we find here exactly the same apparent contradiction as in Maimonides between a simplified calendar scheme and the accurate theory which is only used, however, when delicate problems like eclipses and first visibility are involved.

3. As a matter of fact it would be of no advantage to identify exactly molad and mean conjunction. In a real lunar calendar the conjunction precedes the evening of first visibility, which marks the beginning of a month, by a variable interval of, roughly, 20 to 50 hours. The second part of Maimonides's discussion shows the complicated methods which are necessary to pass from mean conjunction to actual visibility. A cyclic calendar was compelled to be satisfied with a spacing of the months which would be correct in the average. This is to say that the first day of a month should always contain a moment

^{11a} Kugler, BMR p. 83 ff.

^{11b} Neugebauer [3].

which is exactly one mean synodic month later than the corresponding moment in the first day of the preceding month. These points have, of course, constant distance from the mean conjunction. Using the mean conjunctions would only have meant adding a constant amount to each of them to reach the corresponding moment which falls in the first day of a month. Thus it was the simplest solution to disregard the mean conjunctions completely and to operate with moladoth falling within the first days of the months (providing, of course, for additional rules for "postponements" if ritual reasons so require).

The question might be asked what arrangement was made when the cyclic calendar was inaugurated. One may assume that the series of moladoth started with a certain real lunar month. This was apparently the opinion of Ideler who assumed that the moladoth were moved towards the evening of first visibility.¹² Schwarz, however, insisted¹³ that all festivals were moved forward to fall on the (mean) conjunction. Actually, our computation shows that neither assumption is correct for the time of Maimonides because the mean conjunctions precede by only about one hour the moladoth. Maimonides most likely refers to this fact when he says (VII,8) that the real purpose of the "postponements" is of astronomical character. Indeed the postponements move the beginning of the month back, closer to the new crescent.

A complete explanation of the arrangement described by Maimonides would be possible only if we know the time of its origin. It is certainly connected with the assumptions made concerning the era of the world and the corresponding epochs. The choice of the zero hour for the tekufah Nisan of the first year agrees with our expectation. No such simple explanation can be given, however, for the epoch of the moladoth. The real starting point is evidently some later zero point, unknown to us. The possibility of later modification must also be kept in mind, especially because the epochs given by Al-Bīrūnī¹⁴ do not agree with Maimonides.

¹² Ideler, *Chronol.* I p. 543 f.

¹³ Schwarz, *JC* p. 58 f.

¹⁴ *Chronology* p. 144 f. transl. Sachau.

Whatever the historical reason for the discrepancy between moladoth and mean conjunctions may be, it should be underlined that our result does not depend on any historical hypothesis. The difference between moladoth and mean conjunctions was found by using exclusively numerical values given by Maimonides in two different sections of the same work. All we did was to follow Maimonides's rules for computing the moladoth and comparing the result with the date of the mean conjunction directly derived from elements quoted by Maimonides. This comparison rests on simple arithmetic only and is totally independent of any historical considerations whatsoever. From the purely astronomical viewpoint our result is not surprising at all. The basic value m of the length of the mean synodic month and of the interval between consecutive moladoth is a fraction of a second too long. Thus a discrepancy between moladoth and mean conjunctions must accumulate, even if exact coincidence did exist at a certain moment. Arabic astronomers overcompensated the error, as is known, e. g., from al-Bīrūnī (*Chronol.* p. 143) and the divergence found in Maimonides obviously reflects the result of such adjustments as compared with a schematic computation with fixed moladoth. Thus our observation only confirms the statement of al-Bīrūnī that there are divergencies between "the theory of the Jews themselves" and "that of the astronomers" when computing the length of the lunar months.

4. There is no need for a detailed description of the arithmetical rules which determine the cyclic calendar.¹⁵ It is evident that both molad and tekufah can be determined exactly by purely arithmetical operations because the initial values and the differences are given. The same holds for the days of the week because all remainder modulo 7 of the characteristic parameters are also known. This latter fact is utilized for the solution of our problem. It is easy to determine the weekday of the molad and of the tekufah Nisan. Then an estimate is

¹⁵ To my knowledge it was C. F. Gauss, who first gave a consistent arithmetical rule for the computation of the 15th of Nisan and the 1st of Tishre (Gauss, *Werke* 6, p. 80 f.; 10, 1 p. 560; 11, 1 p. 215-218 with commentary and references to subsequent discussions by A. Loewy).

obtained for the time between molad and tekufah, accurate enough to limit us to less than 7 days. Combined with the information about the days of the week, the date of the tekufah is determined uniquely.

We can illustrate this method with the example given by Maimonides in IX,7: find the molad Nisan for the year 4930. We denote the consecutive days of the week by $(1)^d, (2)^d, \dots, (7)^d$ and prove: (a) the first of Nisan will fall on $(5)^d$; (b) the tekufah Nisan will also be $(5)^d$; (c) the tekufah Nisan falls at least 5 days after the molad Nisan, but less than 12 days. Assuming for the moment (a), (b) and (c) as granted, we know that Nisan 1 = $(5)^d$ thus Nisan 6 = $(3)^d$ which is the earliest possible date for the tekufah because of (c). But from (b) we know that the day of the tekufah is not $(3)^d$ but $(5)^d$. This $(5)^d$ can only be Nisan 8 because the next $(5)^d$ is Nisan 15, which is more than 12 days after Nisan 1. Thus the exact date of the tekufah Nisan of the year 4930 is Nisan 8.

The statements (a), (b) and (c) are easily proved.

(a). 4929 complete years contain 259 cycles of 19 years and 8 additional years, 3 of which are intercalary (VI,11). If m denotes the length of the mean synodic month as given in VI,3 (cf. p. 326) we have*

$$19 \text{ years} = 235 m \equiv 2^d 16^h 595^p \text{ mod. } 7^d \quad (\text{VI},12)$$

$$12 m \equiv 4^d 8^h 876^p \text{ mod. } 7^d \quad (\text{VI},5)$$

$$13 m \equiv 5^d 21^h 589^p \text{ mod. } 7^d \quad (\text{VI},5)$$

Hence

$$(259 \cdot 235 + 5 \cdot 12 + 3 \cdot 13) m \equiv 1^d 3^h 412^p \text{ mod. } 7^d.$$

From VI,8 we obtain for the epoch

$$\text{molad Nisan year 1} = (4)^d 9^h 642^p$$

and therefore we obtain by adding $1^d 3^h 412^p$

$$\text{molad Nisan year 4930} = (5)^d 12^h 1054^p$$

which proves our statement (a).

* One uses the notation $a \equiv b \text{ mod. } c$ (read " a congruent b modulo c ") if the difference of a and b is divisible by c . Example: $36 \equiv 26 \text{ mod. } 5$. Hence $a \equiv 0 \text{ mod. } c$ means that a is a multiple of c . This notation is useful in all cases where one is not interested in multiples of a given period, e. g., in multiples of 7 days in dealing with days of the week, or in multiples of 360° for points on the circle. Thus $370^\circ \equiv 10^\circ \text{ mod. } 360^\circ$.

(b). Because

$$1 \text{ "solar year"} = 365^d 6^h \equiv 1^d 6^h \pmod{7^d}$$

and

$$4929 \equiv 1 \pmod{28}$$

we find that the tekufah Nisan of 4930 falls $1^d 6^h$ later than tekufah Nisan year 1 = $(4)^d 0^h 0^p$ (IX,3) thus in day (5) as stated above.

(c) According to IX,3 the tekufah Nisan of the first year of the world preceded the molad Nisan by $7^d 9^h 642^p$. The spacing of the tekufoth is based on the "solar" year of $365^d 6^h$. The spacing of the moladoth, however, is based on the mean synodic month, 235 of which correspond to 19 lunar years whose total is $1^h 485^p$ shorter than 19 solar years (VI,10). Consequently the initial relation between tekufah and molad is gradually changed, resulting after 259 cycles in a delay of the tekufah by $8^d 5^h 773^p$. Thus we know that, for the beginning of our cycle, the tekufah Nisan was about 8 days later than the molad. Each additional year increases this distance by about 11 days, but each intercalary year decreases it by about 30 days. In our specific case we have for the delay of the tekufah $8 + 8 \cdot 11 - 3 \cdot 30 = 6$ which proves our estimate (c).

SOLAR AND LUNAR MOVEMENT

1. The "Guide for the Perplexed" (completed 1190) gives us some information about Maimonides's astronomical education. We know from II,9 of the "Guide" that Maimonides had studied astronomy under the guidance of a pupil of Abu Bekr ibn al Zaig¹ and also that he had contact with the son of Jābir ibn Aflah.² Both these astronomers are quoted by Maimonides as criticizing the Ptolemaic theory. Abu Bekr especially is said

¹ Called ibn Bādja; cf. Sarton, *Introd.* II,1 p. 183. Ibn Bādja died 1138/9.

² Sarton, *Introd.* II,1 p. 206. Duhem might be right when he considers Jābir's work as an Arabic translation of a Greek original, made by an unknown author who lived before Al-Battānī, i. e., before 900 (Duhem, *Système du monde*, II, p. 172 ff.). Duhem's argument is based on the consistent use of the Greek arrangement of the letters in proofs and the total absence of references to Arabic astronomy. Only the second argument is valid; cf. Gandz [1].

to have given plausible arguments for placing the spheres of Mercury and Venus beyond the sphere of the sun,³ and he is also quoted for a system of his own which operated with eccenters only, thus avoiding epicycles.⁴ Furthermore Thabit ibn Qurra⁵ and Al-Qabīṣī⁶ are quoted, and Ptolemy⁷ is referred to several times.

Maimonides was, of course, also familiar with Aristotle, if only through the medium of Arabic philosophy. In many respects he was a follower of Aristotelean philosophy though he had to reject the idea of an eternal existence of the world in the past because this would have eliminated the creation *ex nihilo*, postulated by his religion. Consequently Maimonides emphasizes (especially in II,24 of the "Guide") the incompatibility of Aristotle's cosmic model of concentric spheres⁸ and the Ptolemaic system of eccenters and epicycles. "The difficulty [of Aristotle's theory] is still more apparent when we find that admitting what Ptolemy said as regards the epicycle of the moon, and its inclination towards a point different both from the center of the universe and from its own center,⁹ the calculations according to these hypotheses are perfectly correct, within one minute; that their correctness is confirmed by the most accurate calculation of the moment, duration, and magnitude of the eclipses, which is always based on these hypotheses."¹⁰ The next sentence, however, shows that Maimonides was not really familiar with the system of homocentric spheres when he says: "Furthermore, how can we reconcile, without assuming the existence of epicycles, the apparent retrogradation of a

³ Guide, II,9.

⁴ Cf. Maimonides's cautious report in the Guide, II,24.

⁵ He died 901. Cf. Sarton, *Introd.* I p. 599.

⁶ Sarton, *Introd.* I p. 699. Guide II, 24, refers to a treatise of Al-Qabīṣī "On the distances" (not mentioned by Sarton nor by Suter and Renaud). The same work is probably meant in Guide III,14.

⁷ Guide II,9 (*Almagest* IX,1); II,11 (*Almagest* III,3); II,24 (*Almagest* in general, V,5 and XIII,2, Heiberg p. 532).

⁸ Developed previously by Eudoxos and Kallippos.

⁹ This is Ptolemy's theory of the "Prosneusis" of the lunar epicycle (*Almagest* V,5).

¹⁰ Guide II,24, following Friedländer's translation p. 198.

star with its other motions?" Indeed the homocentric spheres were invented in order to explain this very phenomenon.

Maimonides was aware, however, that the differences of the astronomical models must not be taken too seriously for the explanation of the physical world "for he [the astronomer] does not profess to tell us the existing properties of the spheres" because "his object is simply to find a hypothesis . . . which in its effects is in accordance with observation."¹¹ He also realized the existence of objections against Ptolemy's theory among Arabic astronomers though "even if it be correct that [Abu Bekr] discovered such a system [without epicycles], he has not gained much by it; for eccentricity is likewise as contrary as possible to the principles laid down by Aristotle."¹² And he ends: "It is on account of my great love of truth that I have shown my embarrassment in these matters, and I have not heard, nor do I know that any of these theories have been established by proof."

No such doubts are voiced in the Mishnah Torah (completed 1177). The Ptolemaic arrangement of the planets is accepted without restriction.¹³ The computation of the accurate positions of sun and moon, explained in the "Sanctification of the Moon," everywhere follows Ptolemaic principles, making extensive use of eccenters and epicycles.¹⁴ Hence we can distinguish three layers in Maimonides's astronomy. First, the philosophical problems related to cosmogony, where he is very cautious and accepts no system as definitely proved. Second, the practical methods of cyclic calendaric computation, undoubtedly following Jewish tradition. Third, mathematical astronomy. It is the investigation of this last part that will be the object of the subsequent discussion.

Off hand, it is to be expected that Maimonides followed Arabic astronomers, even if he had Arabic translations of the

¹¹ Guide II,24 (Friedländer p. 198) and II,11 (Friedländer p. 167).

¹² Guide II,24 (Friedländer p. 196).

¹³ Book I, Chapter III, I (Hyamson p. 36b).

¹⁴ Sarton's statement (Introd. II,1 p. 373) "Maimonides rejected epicycles and eccentric movements as contrary to Aristotelian physics" is wrong both in fact and in explanation.

Almagest at his disposal. Indeed, we shall show that there exist very close relations between Maimonides and Al-Battānī. This was discovered by Nallino; quoting numerical agreement for values of the mean solar movement, he says in the preface of his edition of Al-Battānī¹⁵ "tacite nostrum astronomum sequitur celeberrimus Maimonides." We shall confirm this result for the whole theory of the solar and lunar movement. The theory of visibility, however, deviates from Al-Battānī, as Nallino has also seen.¹⁶ I do not know the source of this special section.

2. For a comparison of numerical material contained in chapters XI to XVI of the Sanctification of the Moon with the tables of Al-Battānī we must give a short account of their arrangement. Vol. II p. 75 ff of Nallino's edition of the "opus astronomicum" contains, e. g., tables for the mean movement of the sun and the moon for the following entries: single days from 1 to 30, single aequinoctial hours from 1 to 24, and "Roman" (i. e. Julian) years in steps of 20 up to 100 and in steps of 100 up to 600. All values are given in degrees, minutes and seconds only. These values are rounded off from more accurate values which are mentioned in the heading of the tables for years (p. 77). The mean solar movement, e. g., is said to be $0;11,10,14,35,31,30^{\circ}$ (mod. 360°) for 20 Julian years whereas the table itself only gives

20	0;11,10	
40	0;22,20	
60	0;33,31	etc.

If one checks with the largest given number (600 years) where the influence of the smaller units must be most visible we find that the original number must be corrected to $0;11,10,14,35,39,30$ instead of $\dots,31,30$. Similar scribal errors are unfortunately very frequent in our text, according to Nallino's preface (vol. II

¹⁵ Nallino I, p. XXXIV. I found this remark after having practically completed the present study. Nallino did not utilize Baneth (published 1898, 1899, 1902, 1903) as he states explicitly (Nallino I [1902], p. XXXIV note 4). Baneth on the other hand, did not have Al-Battānī's tables at his disposal (Nallino II, 1907) and made only little use of Nallino I.

¹⁶ Nallino I p. XXXIV: "Tamen in supputando arcu apparitionis Lunae novae, rationem sequitur faciliorem, sed minus exactam, Albateniana."

p. V). Most trivial errors were tacitly corrected by Nallino and Schiaparelli, including cases where the correct numbers could be found by comparison with Ptolemy, Theon, or even by means of modern computation (preface, vol. II, p. VI). This procedure was apparently adopted in order to avoid a cumbersome and often useless apparatus. It has the disadvantage, however, that we are not sure whether the rounding off in tables was not actually less consistent than it appear in the printed edition.

The tables in the Sanctification¹⁷ are of a similar nature, only with slightly different entries. From XII,1 we obtain, e. g., the following table for the mean movement of the sun, where the left column means days:

1 ^d	0;59,8°	100 ^d	98;33,53°
10	9;51,23	1,000	265;38,50
29	28;35,1	10,000	136;28,20
		354	348;55,15

These values are not consistent with one another in the sense that they are not exact multiples of 0;59,8. The obvious explanation is, of course, that we are dealing here with rounded off multiples of a more exact initial value. Indeed, we can show even more. The values for 1, 10 and 29 days and for 354 days¹⁸ are identical with the corresponding values in Al-Battānī's tables,¹⁹ which, in turn are rounded off from multiples of 0;59,8,20,46,56,14.²⁰ The values for 100, 1,000 and 10,000 are not included in Al-Battānī's tables but can be derived directly from them as follows. We multiply the value for 30 days, given by Al-Battānī as 29;34,10, by 3 and add the value for 10 days, which is 9;51,23. Then we obtain exactly Maimonides's value

¹⁷ We shall always speak of "tables" in order to avoid useless clumsiness of expression. There are no "tables" in the strict sense of this word in the Mishnah Torah, only lists of numbers.

¹⁸ Erroneously assumed to be an error by Baneth [1] p. 43 note 5.

¹⁹ Nallino II p. 75 and p. 20. The table of p. 22 should be identical with the table of p. 75 but contains two errors, overlooked by Nallino: 8;52,16 instead of 8;52,15 for 9 days and 9;51,25 instead of 9;51,23 for 10 days.

²⁰ This value is obtained from the value given for 20 Julian years (Nallino II p. 77) where 0;11,10,14,35,31,30 must be corrected to 0;11,10,14,35,39,30, as explained above p. 337.

98;33,53. From this the values for 1,000 and for 10,000 days are obtained by multiplication by 10 and 100.

The insight into this procedure of Maimonides is historically not without interest. In order to obtain the value for 100 days he simply took the rounded-off values for 30 and for 10 days, thus committing an error $3\epsilon_1 + \epsilon_2$ if ϵ_1 and ϵ_2 are the errors of rounding off committed by Al-Battānī. This total error appears multiplied by 100 in the value for 10,000 days. It is an amusing accident that the result agrees much better with modern values than any other value from Ptolemy to Copernicus. Baneth,²¹ who did not realize how Maimonides's tables were constructed, praised this result "als ein glänzendes Ergebnis" and conjectured that Maimonides compared observations of Al-Battānī with results of Hipparchus. We see now that Maimonides not only did not have the slightest intention to deviate from Al-Battānī but that he showed the same disregard for the cumulative effect of errors which can be recognized in almost all ancient and mediaeval astronomers.

3. In XII,3 the apogee of the solar orbit is said to move 1° in about 70 years. A similar statement is made in the first book of the Mishnah Torah, chapter III,²² which shows clearly that not an independent motion of the sun's apogee is meant but that we are dealing here with the general precession of the equinoxes. This is the traditional attitude, also held by Al-Battānī.²³ The numerical values given by Maimonides in XII,3 are as follows

in	10 days	0;0,1,30°
	100	0;0,15
	1,000	0;2,30
	10,000	0;25
in	29 days	about 0;0,4
	354	0;0,53

These numbers are consistent among themselves except for the two last ones where 0;0,0,21 and 0;0,0,6 respectively are dis-

²¹ Baneth [1] p. 42 and [2] p. 259.

²² Hyamson p. 37b.

²³ Cf. Nallino I p. 216.

regarded if one considers the value for 10 days as exact. If one asks oneself, however, in what time the movement of 1° will be accomplished one will not find 70 (Julian) years but 6,40,0 days or almost 66 Julian years. Thus Maimonides's "about 70 years" is an approximation of 66 years. This again leads to a close agreement with Al-Battānī, who assumes²⁴ a movement of 1° in 66 "Roman" (i. e. Julian) years, or 1° in 6,41,46;30^d. We will find this fully confirmed in the discussion of the position of the apogee for Maimonides's epoch (cf. below p. 344).

Following strictly Ptolemaic tradition the true anomaly of the sun is found (in XIII,3) from the mean anomaly by adding or subtracting the equation of center. The values, however, are not Ptolemaic but rounded off from Al-Battānī,²⁵ as is evident from the following comparison:

	Al-B.	M.		Al-B.	M.		Al-B.	M.
10	0;19,59	0;20	70	1;50,35	1;51	130	1;33,15	1;33
20	0;39,27	0;40	80	1;56,35	1;57	140	1;18,34	1;19
30	0;57,49	0;58	90	1;59,3	1;59	150	1;1,24	1;1
40	1;14,35	1;15	100	1;57,56	1;58	160	0;41,52	0;42
50	1;29,15	1;29	110	1;53,14	1;53	170	0;21,24	0;21
60	1;41,14	1;41	120	1;44,56	1;44	180	0	0

One sees that Maimonides everywhere follows his principle of rounding off, according to which 30 or more units of a lower order count as 1 of the next higher order.²⁶ The only exception is the second value, where one should expect 39 instead of 40.

From these elements the solar position can be computed for any time if one initial position is known. Because the question of the epoch will come up also in connection with the lunar movement, we postpone it in favor of a common treatment after the other elements of the lunar movement are introduced.

²⁴ Nallino I, p. 72.

²⁵ Nallino II p. 78.

²⁶ Cf., e. g., XIII,4. This principle, so familiar to us, is by no means common practice with ancient astronomers. Experience shows that one frequently either disregarded lower units, however close they might come to 1, or that only 45 or more lower units were taken for 1 of the next order.

4. In XIV,3 we find the following values for the mean anomaly of the moon, again with reference to days:

1 ^d	13;3,54°	100 ^d	226;29,53°
10	130;39,0	1,000	104;58,50
29	18;53,4	10,000	329;48,20
		354	305;0,13

The first three values, as well as the last value, are found in Al-Battānī.²⁷ The value for 10 days is inaccurate and should be 130;38,59. This better value is also attested in Al-Battānī²⁸ and implicitly used by Maimonides in his value for 100 days. If we add 130;38,59 to three times the value 31;56,58 for 30 days,²⁹ we obtain 226;29,53 as given by Maimonides. The value 305;0,13 for 354 days is also inaccurate and should be 305;0,14. Both values are attested side by side in Al-Battānī.³⁰ The values for 1,000 and 10,000 days are obtained from the value for 100 days by successive multiplication by 10.

For the mean motion of the moon we find in XIV,2

1 ^d	13;10,35°	100 ^d	237;38,23°
10	131;45,50	1,000	216;23,50
29	22;6,56	10,000	3;58,20
		354	344;26,43

All these values are either directly taken from Al-Battānī³¹ or can be derived by the same process as in the previous case.

The last table of this kind concerns the retrograde movement of the ascending node of the lunar orbit (XVI,3):

1 ^d	0;3,11°	100 ^d	5;17,43°
10	0;31,47	1,000	52;57,10
29	1;32,9	10,000	169;31,40
		354	18;44,42

The first three values agree with Al-Battānī.³² For the last value

²⁷ Nallino II p. 22 and p. 21.

²⁸ Nallino II p. 75.

²⁹ Nallino II p. 75 and p. 21.

³⁰ Nallino II p. 21 and p. 20 respectively.

³¹ Nallino, II p. 75 and p. 20.

³² Nallino, II p. 75.

Al Battānī gives correctly 18;44,41.³³ The remaining values are consistent among themselves but cannot be obtained by using Al-Battānī's table only, which ends with the value for 30 days.³⁴ If, however, one uses for the daily movement the more accurate value 0;3,10,37,24, . . . which forms the basis of Al-Battānī's tables,³⁵ then one obtains again the values given by Maimonides for 100 days. The values for 10,000 and 10,000 days are obtained by simple multiplication by 10.

5. We can now return to the question of the initial values for the movement of sun and moon at the epoch which Maimonides had chosen (XI,16) to be 4938 Nisan 3 o^h (i. e., as will be shown presently, A.D. 1178 March 23), obviously close to the date of his writing, because the introduction to the Mishnah Torah calls the preceding year (1177) the "present date."³⁶ For this date the following initial positions are assumed

sun's apogee	♊	26;45,8°	(XII,4)
mean sun	♈	7;3,32	(XII,4)
mean moon	♎	1;14,43	(XIV,4)
moon' anomaly		84;28,42	(XIV,4)
ascending node		—180;57,28	(XVI,3).

The last four values allow for a direct comparison with tables given by Al-Battānī.³⁷ There we find these elements listed for given years of the Seleucid Era (called in Al-Battānī "Era of the Bicornute"³⁸ with additions for single days and hours. In introducing his epoch Maimonides equates³⁹ the year 4938 of the world with the year 1489 of the Seleucid Era (called here "Era of Contracts"). In Al-Battānī's tables we can obtain this year from two entries, Seleucid Era 1471, and 18 single years. In this way we find for the longitude of the mean sun:

³³ Nallino II p. 20 and 21.

³⁴ For 100 days one would obtain 5;17,44.

³⁵ This value is derived from the value given for 600 Julian years (Nallino II, p. 77).

³⁶ Hyamson p. 4.

³⁷ Nallino II, p. 72.

³⁸ Cf. Nallino I, p. 242.

³⁹ XI,16.

345;25,13 + 359;40,29 = 345;5,42. This position equals χ 15 and refers to noon⁴⁰ of Ādhār 1 (which corresponds, incidentally, to Julian March 1⁴¹). The mean sun at Maimonides's epoch Nisan 3, was in Υ 7, hence 22° farther ahead than at Ādhār 1. Thus it is clear that we must add a movement between 22 and 23 days to the positions obtained from Al-Battānī in order to reach the epoch of Maimonides.⁴² Repeating the same argument for the parameters of the moon and computing accurately, we obtain 22 days 6;50 hours as the best value which leads from Seleucid Era 1489 Ādhār 1 to Maimonides's epoch. The results are

	Al-Battānī	Maimonides	M.-Al.-B.
mean sun	Υ 7;3,35	Υ 7;3,32	— 0;0,3
mean moon	\oslash 1;14,41	\oslash 1;14,43	+ 0;0,2
moon's anom.	84;28,37	84;28,42	+ 0;0,5
asc. node	180;57,16	180;57,28	+ 0;0,12

The small deviations are in all probability due to the process of interpolation which is needed to obtain the movement during 50 minutes. I was not able, however, to reduce the differences simultaneously to zero by strictly consistent computations. Nevertheless it is clear that Maimonides's values are obtainable from Al-Battānī by a time difference of 22 days and 6;50 hours. The 22 days are explained by the difference between Ādhār 1 (= March 1) and Nisan 3 (= March 23). The 6 hours correspond to the time from Al-Battānī's noon epoch to Maimonides's evening epoch. There remain 50 minutes which in part are due to the difference in geographical longitude. Al-Battānī's elements are based on the meridian of ar-Raqqah in Mesopotomia. Jerusalem is assumed to have the longitude 66;30 while ar-Raqqah is placed at 73;15⁴³ i. e. 6;45° east of Jerusalem. The corresponding time difference is 27 minutes, leaving us with 23

⁴⁰ Nallino I, p. 72 (6).

⁴¹ Nallino II p. 8 and p. 74.

⁴² We could have obtained this result directly by the use of modern tables which give March 23 as the date of Nisan 3. It seems to me, however, preferable to show that our results can be obtained directly from the investigation of Al-Battānī and Maimonides alone.

⁴³ Nallino II p. 54 No. 273 and p. 41 No. 150.

minutes not yet accounted for. This amount corresponds most likely to the $1/3$ of an hour which Maimonides assumes (XIV,6) to be required after sunset in order to make the new crescent visible. Thus it would have been more accurate to say that the epoch was chosen to be $0;20^h$ of Nisan 3 of the year 4938.

We have still left aside the initial position for the solar apogee. Al-Battānī states⁴⁴ that the apogee of the sun had at Sel. Era 1191 Ādhār 1 the longitude of about $\text{II } 22;15$ and that 66 years correspond to 1° of its movement. We know that Maimonides's epoch is Sel. Era 1489 Ādhār 23. The interval of 298 years and 22 days between these two epochs contains $4\frac{1}{2}$ periods of 66 years and 1 year 23 days. The $4\frac{1}{2}$ periods correspond to a movement of the apogee of $4;30^\circ$. The remaining 388 days can be written as $4\cdot100 - 12$ days. According to the table in XII,3 the corresponding movement will be $0;1^\circ - 0;0,1,48^\circ = 0;0,58,12$. Thus we obtain a total of $4;30,58^\circ$ for the movement of the solar apogee between the two epochs. Unfortunately the position assumed by Al-Battānī is not accurately known. Considering Maimonides's value $\text{II } 26;45,8$ as certain, we would obtain for Al-Battānī $\text{II } 22;14,10$ whereas the tradition varies between $\text{II } 22;15$ (cf. the above reference) and $\text{II } 22;14$ (ibn Yūnus⁴⁵); the latter value (or more accurately $\text{II } 22;14,16$) can also be derived from Al-Battānī.⁴⁶ The present passage from the Mishnah Torah speaks in favor of the smaller value.⁴⁷

6. Knowing the mean movement of the moon and knowing its position at the epoch we can compute the position of the mean moon for any moment whose time difference from the epoch is given. We have seen that the epoch was chosen in such a way that the delay of 20 minutes is already included. All that remains, therefore, is a correction for the variable length of daylight. If we measure time by means of equatorial degrees we can

⁴⁴ Chapter XXXIII, Nallino I p. 72.

⁴⁵ Caussin p. 154.

⁴⁶ The discussion Nallino I p. 214.

⁴⁷ This result has also been reached by Baneth [1] p. 50. By computing accurately he even obtains exactly $4;31,8$ for the movement of the apogee. I do not think, however, that this procedure is historically correct.

say that the length of daylight at the equinoxes is $3,0^\circ$. If C denotes the length of daylight for any day of the year, we are interested in the difference $\delta = C - 3,0$ measured in degrees. For a day when this difference has the value δ , sunset will be delayed by $\frac{1}{2}\delta^\circ = 2\delta^h$. Because the mean elongation of the moon amounts to $12^\circ/d$, the elongation will increase during 1^h by $\frac{1}{2}^\circ$ and therefore during $2\delta^h$ by δ° . In other words, the value

$$\delta = C - 3,0$$

is identical with the correction of the mean elongation of the moon due to the variability of the length of daylight C . It is therefore our next goal to find the values of C for the latitude of Jerusalem.

Following ancient practice we can find the length of daylight from the table of ascensions in the proper climate. Al-Battānī's table of ascensions⁴⁸ contains for the third climate the latitudes $\varphi = 30;40$ and $\varphi = 33;37$. Linear interpolation for the latitude $\varphi = 31;40$ yields the ascensions for Jerusalem. This leads to a table of the following type:

	$\varphi = 30;40$	$\varphi = 33;37$	$\varphi = 31;40$
10	6;49	6;32	6;43
20	13;45	13;11	13;34
30	20;56	20;5	20;39

etc.

	30	3,0;0	3,0;0	3,0;0
10	3,11;33	3,11;50	3,11;39	
20	3,23;9	3,23;43	3,23;20	
30	3,34;50	3,35;41	3,35;7	

etc.

These numbers indicate, e. g., for $\varphi = 31;40$ that $6;43^\circ$ of the

⁴⁸ Nallino II p. 65. The entry for Saggittarius 250 and lat. $30^\circ 40'$ must be $262^\circ 16'$ instead $250^\circ 16'$ as printed by Nallino.

become clear when we discuss the limits for visibility.⁵⁰ For the present moment we accept these limits for the double elongation as granted. In V,3 Maimonides gives a table for the corresponding correction which leads from the true apogee of the lunar epicycle to the mean apogee. Al-Battānī gives a similar table⁵¹ which in turn is based on Almagest V,8. This provides us with the following comparison:

Double elongation Maimonides		Al-Battānī ⁵²
6° to 11°	1°	0;45° to 1;38°
12 to 18	2	1;46 to 2;39
19 to 24	3	2;48 to 3;31
25 to 31	4	3;40 to 4;32
32 to 38	5	4;41 to 5;33
39 to 45	6	5;41 to 6;33
46 to 51	7	6;42 to 7;23
52 to 59	8	7;32 to 8;28
60 to 63 ⁵³	9	8;36 to 8;44 ⁵³

This shows that Maimonides divided the double elongation at such points where Al-Battānī's values change from 0;30 to 0;40. This principle is only slightly violated at the end where one should expect 53 and 61 instead of 52 and 60.

The next step consists in finding the quota of anomaly for all anomalies. Strictly speaking this problem should be solved for all elongations, and this is indeed the way followed by Ptolemy and Al-Battānī. Maimonides introduces here a convenient simplification. Because he deals only with small elongations (up to 31°), he can refrain from taking into account the influence of variable elongations. He therefore computes the quota of anomaly by assuming a fixed mean elongations of about 15°.

The procedure for finding the quota of anomaly including

⁵⁰ Cf. below p. 350.

⁵¹ Nallino II p. 78 ff ("aequatio anomaliae").

⁵² The values given here belong to the first and to the last value of the double elongation given in the first column. Al-Battānī's table proceeds in steps of single degrees.

⁵³ The value corresponding to 67° would be 9;30.

prosneusis was first described by Ptolemy in V,9 of the *Almagest* following the table in V,8. The same rules are applied by Al-Battānī in his chapter XXX⁵⁴ and in the corresponding tables.⁵⁵ If we assume a mean elongation of 15° we have to enter these tables with the value of 30° for the double elongation. In the 5th column of Al-Battānī's tables⁵⁶ we find the corresponding value of $c=0;3^\circ$ and the same is true for all entries from 26 to 31. It is therefore irrelevant whether 15° is exactly the value used for the mean anomaly by Maimonides. Ptolemy's values are more accurate in this column. For a double anomaly of 30° he gives $c=0;3,24$ and each degree more or less would change this value by about $0;0,11$. We shall first follow Al-Battānī's tables and compute the quota of anomaly for an elongation of 30° . The corresponding value in the 6th column⁵⁷ is $M=1;10$. Let q be the quota when the epicycle is in the apogee. Then $M=1;10$ means that the quota of anomaly would be $q+1;10^\circ$ if the lunar epicycle would be at its perigee (which is the case for the quadratures) assuming a true anomaly of 30° . Actually the lunar epicycle is not in the perigee (elongation 90°), because we assumed an elongation of only 15° . Consequently only a fraction c of M will be the corresponding quota and we have already stated that $c=0;3$ can be found in the 5th column. Thus the corresponding quota is not $q+1;10$ but only

$$Q = q + 0;3 \cdot 1;10 = q + 0;3,30.$$

The value of q is given in the 3rd column⁵⁸ and has for the anomaly of 30° the value $2;19,45$. Thus we obtain

$$Q = 2;19,45 + 0;3,30 = 2;23,15.$$

The corresponding value given by Maimonides in XV,6 is $2;24$.

If we repeat this calculation with Ptolemy's tables we obtain for the elongation of 15° and the anomaly of 30° the quota

$$\begin{aligned} Q &= 2;19 + 0;3,24 \cdot 1;10 \\ &= 2;19 + 0;3,58 = 2;22,58. \end{aligned}$$

A similar situation prevails for the rest of the table. Though the values of Al-Battānī and Ptolemy are slightly different the final result is practically the same. The majority of Maimonides's

⁵⁴ Nallino I p. 50 ff.

⁵⁶ "Minuta addenda."

⁵⁸ "Aequatio simplex lunae."

⁵⁵ Nallino II p. 78.

⁵⁷ "In longinquitate minima."

values, however, are $0;1^{\circ}$ greater than expected, especially in the first quadrant. I do not know how to explain this peculiar deviation. The following table shows the complete list:⁵⁹

	Al-B.	M.		Al-B.	M.
10	0;49	0;50	100	5;8	5;8
20	1;37	1;38	110	4;59	4;59
30	2;23	2;24	120	4;39	4;40
40	3;5	3;6	130	4;11	4;11
50	3;43	3;44	140	3;33	3;33
60	4;15	4;16	150	2;47	2;48
70	4;41	4;41	160	1;55	1;56
80	4;58	5;0	170	0;59	0;59
90	5;7	5;5 (?)	180	0	0

8. The last element needed for the exact position of the moon is its latitude. Maimonides is following Arabic custom when he uses the ascending node as zero point of the argument of latitude⁶⁰ whereas the Greeks started from the point of greatest northern latitude.⁶¹ We have already discussed the table in XVI,3 for the movement of the ascending node (above p. 341) and its derivation from Al-Battānī.

The values for the latitude itself, given in XVI,11, agree also with Al-Battānī,⁶² though rounded off from three to two places. The only deviation is found for 20° where Maimonides gives 1;43 whereas Al-Battānī has 1;42,27.

VISIBILITY

1. The elongation of the moon from the sun is, of course, the essential element for the visibility of the new crescent the evening following conjunction. Maimonides therefore introduces

⁵⁹ Cf. for Maimonides's values Baneth p. 102 and Feldman p. 146.

⁶⁰ Counted in retrograde direction. Cf., e. g., Al-Khwārizmī, chapter 12 (Suter p. 12 and p. 55) and Al-Battānī, chapter 37 (Nallino I p. 75 f, p. 250 f., II p. 204).

⁶¹ Cf., e. g., Almagest V,8 last column.

⁶² Nallino II p. 78 ff last column.

(XVII,1) as "first longitude" the difference between the longitude of the true moon and that of the true sun. We shall denote this magnitude by λ_1 . Similarly the "first latitude" β_1 is the latitude of the true moon, counted positive for northern latitudes, negative for southern latitudes.

Latitude and variable inclination of the ecliptic must be taken into consideration provided the elongation is not too small to render visibility impossible under all circumstances or too large to secure visibility unconditionally. In XVII,3 and 4 these limits are given as 9° and 24° respectively. Consequently only for first longitudes of the interval

$$(1) \quad 9^\circ \leq \lambda_1 \leq 24^\circ$$

is a closer investigation of the relative position of sun and moon necessary.

The true elongation λ_1 can differ considerably from the corresponding mean elongation. According to Al-Battānī's tables¹ the maximal anomaly of the sun is $1;59,10^\circ$, of the moon $5;1^\circ$. Hence it is possible that true and mean elongation deviate 7° from each other. The interval (1) for the true elongation therefore corresponds to an interval from 2° to 31° ; thus the double elongation for which special considerations are needed varies from 4° to 62° . This is obviously the explanation of the limits 5° and 62° adopted by Maimonides in XV,2 and 3.² The value 5° instead of 4° suggests a lower limit $9;30$ instead of 9 in (1). We shall see in the last section that all visibility limits are apparently affected by rounding-off, which is only in line with Maimonides's general tendency to present his material in the simplest possible form.

The limits (1) are not given in exactly this form by Maimonides. He distinguishes between the two halves of the ecliptic separated by the solstices. For the spring semicircle the limits are 9° and 15° respectively, for the autumn semicircle 10° and 24° . No boundaries of this kind are found in Al-Battānī.

¹ Nallino II, p. 81. Similar considerations are found in *Almagest* V,10 (Heiberg 396).

² Cf. above p. 346.

2. From now on we assume that the value of λ_1 is such that we must consider the additional influences. The first correction of λ_1 and β_1 is due to the parallax. The results

$$(2) \quad \lambda_2 = \lambda_1 - c_1$$

$$\beta_2 = \beta_1 - c_2$$

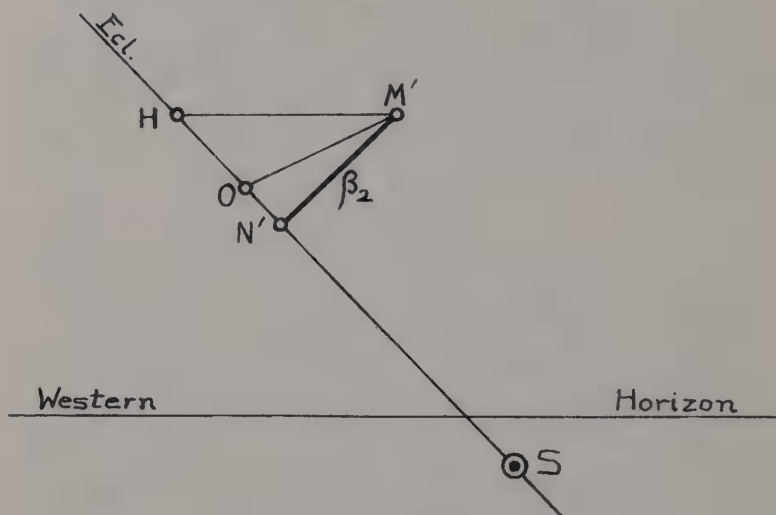
are called "second longitude" and "second latitude" respectively. The values of c_1 and c_2 depend, of course, on the inclination of the ecliptic. Though it is clear that we are dealing here again with rounded-off values only, we can estimate the values for $c = \sqrt{c_1^2 + c_2^2}$ which should represent the total parallax. Thus we obtain the following table:

	c_1	c_2	c
γ	0;59	0;9	I
δ	I	0;10	I
ϵ	0;58	0;16	I
ζ	0;52	0;27	0;59
η	0;43	0;38	0;57
θ	0;37	0;44	0;57
ι	0;34	0;46	0;57
κ	0;34	0;45	0;57
λ	0;36	0;44	0;57
μ	0;44	0;36	0;57
ν	0;53	0;27	0;59
ξ	0;59	0;12	I

The lower values of c in the summer semicircle seem to indicate that it is assumed that the moon must be higher above the horizon during summer than winter. I do not see, however, how the asymmetry of our scheme with respect to the solstices can be explained. Baneth³ has discussed the numerical values in detail without reaching a satisfactory solution.

³ Baneth [I] p. 146 ff.

3. If M' denotes the apparent position of the moon (i. e. the true position of the moon influenced by parallax) Maimonides obtains in XVII 10,11 a "third longitude" λ_3 from the longitude λ_2 of M' by taking the arc of declination which passes through M' and intersecting it with the ecliptic in O (cf. Fig 2). Then



λ_3 is the distance from O to the sun S . If $M'N' = \beta_2$ is the apparent latitude of the moon and if $c_3 \beta_2 = N'O$, then we can write

$$(3) \quad \lambda_3 = \lambda_2 + c_3$$

where c_3 is a coefficient depending upon the longitude of the moon.

The values and the signs given for c_3 leave no doubt that the above interpretation, given by Baneth,⁴ is correct. It suffices to remark that $c_3 = 0$ for the solstices because the circle of latitude coincides in this case with the circle of declination and

⁴ Baneth [I] p. 154 ff. Baneth's name, however, "Rektaszensionsunterschied" is misleading and not based on the text, which speaks loosely about a variation in the orbit of the moon. Cf. the translation by S. Gandz in a forthcoming volume of the Yale Judaica Series.

that $c_3 > 0$ for the spring semicircle, but negative for the autumn semicircle.⁵

It is difficult to understand the purpose of this step. One would expect that the time difference between sunset and disappearance of the moon would be needed. This problem could be solved by finding the intersection with the equator of a circle passing through M' and forming the angle $90 - \varphi$ with the equator.⁶ Breaking this procedure into two steps, one could first find the intersection H of the above-mentioned circle with the equator and then ask for the arc of the equator which sets in the same time as the arc HS of the ecliptic. Indeed, the next step consists in finding the equator arc which corresponds to the ecliptic arc OS . Thus we can say that Maimonides determines the delay of setting of the point O instead of the moon. We shall return to this question in Section 5.

4. The problem of finding the arc of the equator which sets simultaneously with the arc $\lambda_3 = SO$ of the ecliptic is a variant of the classical problem of ancient astronomy: to determine the rising time of a given arc of the ecliptic. Because points which rise and set are diametrically opposite, our problem is easily reduced to a problem of rising times for which tables are available. In section 6 of the preceding chapter (p. 345) we obtained a table of ascensions for the latitude of Jerusalem by means of interpolation from Al-Battānī's tables. Thus we found, e. g., that the sign Υ rises with $20;39^\circ$ of the equator. At the same time the sign \cong is setting. Consequently we know that $20;39^\circ$ of the equator are setting simultaneously with the arc SO of Fig. 2 if SO coincides with the sign of \cong . Al-Battānī's tables would furnish similar information for arcs of 10° of length; linear interpolation suffices for still smaller parts.

Maimonides, in XVII,12, is satisfied with values for whole zodiacal signs, rounded-off to degrees. Thus he says, e. g., that for λ_3 in \cong a "fourth longitude" should be found by subtracting

⁵ For the single values and their comparison with computation, see Baneth [I] p. 156 or Feldman RMA p. 168.

⁶ Feldman RMA p. 167 speaks of a circle "parallel to the horizon" which is, of course, impossible for a great circle.

$1/3$ of λ_3 from it. For \cong we would thus obtain $\lambda_4 = 20$. In general we can bring Maimonides's procedure to the form

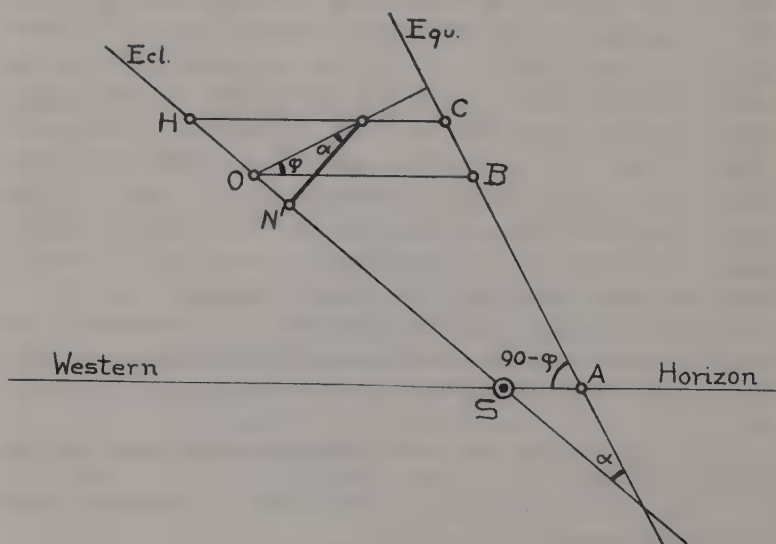
$$(4) \quad \lambda_4 = \lambda_3 + c_4 \lambda_3$$

with coefficients c_4 depending on the zodiac. The following table shows the result of a comparison with the values obtained by interpolation from Al-Battānī

setting	Al-Battānī	Maimonides	
Υ or ♄	35;7	35	$c_4 = +1/6$
♅ or ♁	35;50	36	$+1/5$
♁ or ♂	34;41	35	$+1/6$
♂ or ♂	29;45	30	0
♂ or ♂	23;58	24	$-1/5$
♂ or \cong	20;39	20	$-1/3$
total: 180		total: 180	

The good agreement with Al-Battānī's values is not surprising because we are only using once again elements whose agreement we have already established in the correction for variable length of daylight.

5. The value of λ_4 indicates how much later than S the point O sets. In Fig. 3 this quantity is expressed by the equator



arc AB . If we now want to find the delay of the moon M' we must find the length BC . We may assume that all arcs are straight lines and BO and $CM'H$ parallel to the horizon. Then we find

$$M'O = \beta_2 / \cos \alpha \quad \text{and} \quad CB = M'O \tan \varphi$$

thus

$$CB = \beta_2 \tan \varphi / \cos \alpha.$$

For Jerusalem we have $\varphi = 31;41^\circ$, thus $\tan \varphi = .62$. The angle α between ecliptic and equator varies between 0° and 24° , thus $\cos \alpha$ between 1 and .91. Hence $\tan \varphi / \cos \alpha$ varies between .62 and .70, with $.66 = \frac{2}{3}$ as mean value. This shows that

$$CB = \frac{2}{3}\beta_2$$

is a fair approximation for the additional delay of setting caused by the latitude of the moon.

The coefficient $\frac{2}{3}$ is called by Maimonides in XVII 13 the "quota of the geographical latitude" though he does not indicate how the geographical latitude has been used in order to arrive at this value. He furthermore replaces β_2 by the first latitude β_1 , thus disregarding the parallax in latitude. Then he calls

$$(5) \quad b = \lambda_4 + \frac{2}{3}\beta_1$$

"arcus apparitionis"⁷ apparently because it is the fundamental quantity needed for deciding about the visibility of the moon.

Looking back at the computation of b we can say that b represents the equatorial arc which corresponds to the arc HS of the ecliptic in Fig. 2. The distance HS could have been expressed by $\lambda_2 + \beta_2 \cot \gamma$ where γ is the variable angle between horizon and ecliptic. Having found HS the same procedure which is used to determine λ_4 from λ_3 would lead from HS to b . It is difficult to see why this way was not followed. The determination of the variable angle γ cannot have been the reason because Greek spherical trigonometry had already solved this problem.⁸ Maimonides's method is not only unnecessarily compli-

⁷ Feldman translates "arc of vision" (p. 170) whereas Baneth [1] p. 167 uses "Sehungsbogen." This terminology is misleading because the "arcus visionis" is the negative altitude of the sun needed for visibility whereas b is an arc of the equator. Because the term used by Maimonides is formed from the same root as the Arabic term used by Al-Battānī (Nallino II p. 332), I use here Nallino's translation "arcus apparitionis."

⁸ Almagest II, 11.

cated but numerically very crude, especially in adding the constant amount $\frac{2}{3}\beta_1$ to λ_4 . It is my impression that Maimonides depends in the whole section on visibility on much more primitive sources than in the computation of the position of the moon. This would be easily intelligible if Maimonides were following Greek methods because the *Almagest* does not contain rules for the solution of the visibility problem. For a follower of Arabic tradition, however, it is difficult to understand why lunar movement and lunar visibility should be treated differently. Yet there can be no doubt that Maimonides depends on the Arabic and not on the Greek tradition.

From the purely mathematical viewpoint the computation of b could have been condensed into a single rule

$$(6) \quad b = c_5 \lambda_1 + c_6 \beta_1 + c_7$$

with coefficients c_5 , c_6 and c_7 depending on the position of the moon in the zodiac.⁹ Computing their values from the given values of c_1, \dots, c_4 , one realizes again the inconsistency in accuracy of the single steps. The coefficient c_3 , e. g., is given in very detailed dependence on parts of zodiacal signs whereas most of the other coefficients are rounded-off values, constant for a whole zodiacal sign. It is very unlikely that inconsistencies of this type should be found in an astronomical work with extensive numerical tables like Al-Battānī's treatise.

6. In XVII,15-21 Maimonides states the final criteria of visibility. These are:

$$(7a) \quad \begin{array}{ll} b \geq 14 & \text{visibility certain} \\ b < 9 & \text{visibility excluded;} \end{array}$$

■ The following rounded-off values will suffice to give the main trend of these relations:

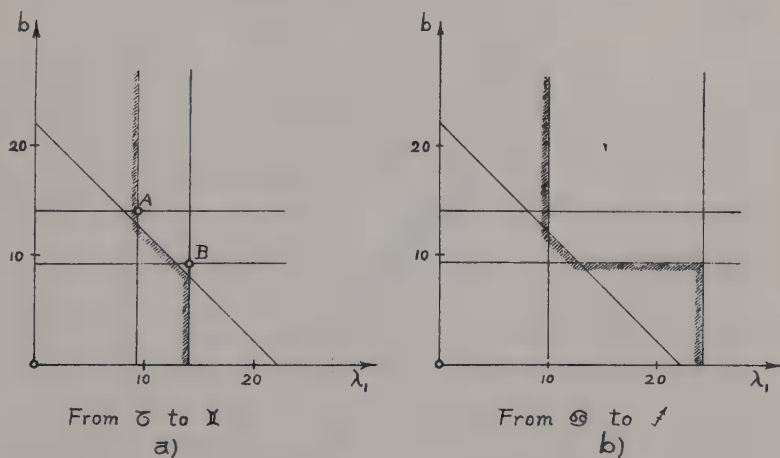
	c_5	c_6	c_7		c_5	c_6	c_7
♈	1;10	0;12	1;5	♌	0;40	0;56	0;34
♉	1;12	0;22	1;9	♍	0;48	0;52	0;36
♊	1;10	0;34	1;6	♎	1	0;45	0;39
♋	1	0;45	0;54	♏	1;10	0;34	0;48
♌	0;48	0;52	0;42	♐	1;12	0;22	0;55
♍	0;40	0;56	0;36	♑	1;10	0;12	1;3

if, however, b lies between 9 and 14, then

$$(7b) \quad b + \lambda_1 \geq 22$$

is required for visibility.

For the further interpretation of these discussions, a graphical representation is most convenient. Because the visibility of the new crescent is made dependent upon the two quantities b and λ_1 only, we can represent all possibilities in a λ_1, b -plane. The condition (7b) says that the region of visibility lies above the line $b + \lambda_1 = 22$ and from (7a) we know that also the lines $b = 9$ and $b = 14$ belong to the boundary of the region of visibility. Finally we must remember that $\lambda_1 = 9$ and $\lambda_1 = 15$ are limits if the moon is on the spring semicircle, and $\lambda_1 = 10$, $\lambda_1 = 24$ on the autumn semicircle. Figs. 4a) and b) show the corresponding boundaries. It follows from these diagrams that the statement that $b > 14$ means visibility is trivial in both cases. The statement that $b < 9$ means invisibility, however, is trivial only in the case of the spring semicircle whereas it restricts visibility for the autumn semicircle. Fig. 4a) suggests furthermore the as-



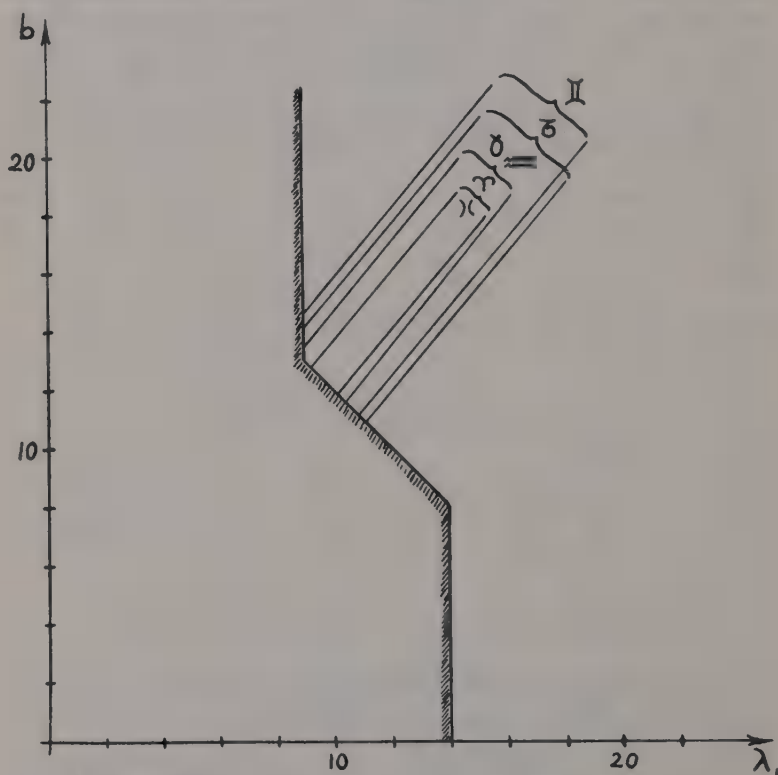
sumption that the small triangles formed near A and B are caused by nothing more than rounding-off of the limiting numbers. The triangles would, e. g., disappear if the boundary values for b and λ_1 would be changed to 8;30 and 13;30.

Maimonides's principle of rounding-off¹⁰ would then lead to 9 and 14.

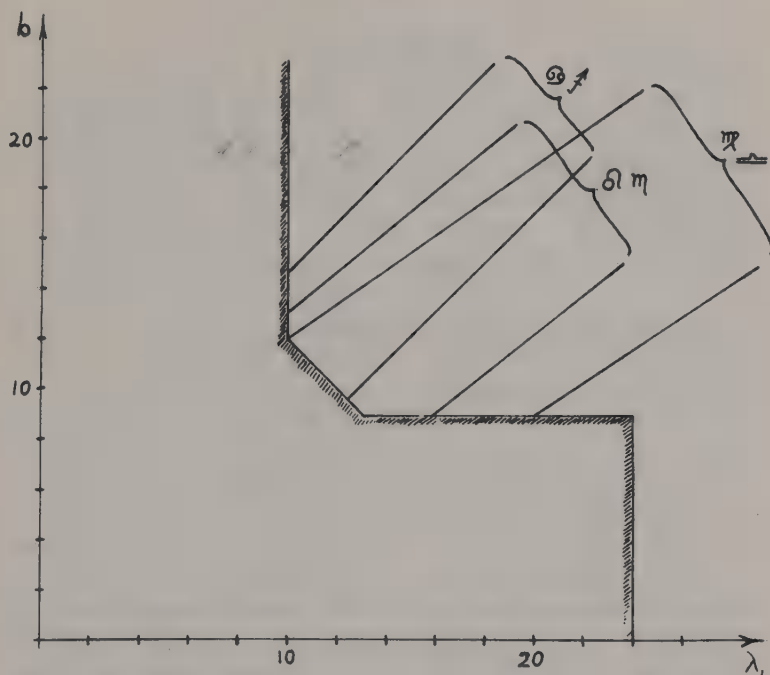
We can show that also the upper limits for λ_1 , assuming visibility, are of no interest. It follows from (6) p. 356 that for a given latitude β_1 the "arc of vision" is a linear function of λ_1 alone. Because the latitude β_1 varies between $+5^\circ$ and -5° only, we can say that all possible values of b belong to a strip bounded by the two straight lines

$$b = c_5 \lambda_1 + (c_7 \pm 5c_6)$$

whose position depends on the zodiacal signs. Using the values given in note 9) of p. 356 leads to a graphical representation of all possible values of b and λ_1 for the two halves of the year (Fig. 5a) and b). From these graphs it is evident that the



¹⁰ Cf., e. g., XIII,9.



limits $\lambda_1 = 14$ and $\lambda_1 = 24$ respectively do not influence the region into which values of b and λ_1 , actually can fall. On the other hand we see now that the condition $b > 9$ is very essential for the autumnal semicircle.

7. The most essential condition for visibility if, of course, the condition $b + \lambda_1 \geq 22$. It expresses the fact that the time difference b between sunset and moonset can be smaller if the elongation increases. The reason for this is the fact that the width of the visible crescent is proportional to the elongation.

The same idea is reflected in Al-Battānī, though in a much more refined form.¹¹ As "arcus apparitionis fundamentalis" Al Battānī assumes the time difference $b_0 = 11;45^\circ$. This corresponds to the delay of the setting of the moon under ideal conditions, i. e., both sun and moon being in the equator.

¹¹ For details cf. Nallino I p. 86 ff. and the commentary of Schiaparelli p. 266 ff.

Assuming mean motion for both bodies, the moon will have an elongation of $12;11^\circ$ when setting. This is the elongation, obtained one day after conjunction, considered just sufficient for the visibility of the crescent. If the actual angular distance d between sun and moon, parallax included, is different from $12;11$, Al-Battānī considers the ratio $12;11/d$ and multiplies b_0 by this quantity. If we call the result b'_0 and if b has the same meaning as with Maimonides the condition of visibility of Al-Battānī is $b \geq b'_0$. This shows that the details of expressing the relation between b and elongation are very different in Al-Battānī and Maimonides. Al Battānī furthermore considers the influence of the position of the moon on the epicycle, a factor which is completely disregarded by Maimonides. Also the methods for computing b are totally different in both authors.

Nallino gives a survey of different criteria used by Arabic astronomers prior to Al-Battānī.¹² None of them corresponds to Maimonides's procedure. Only Kūshyār ibn Labban (about 1000 A.D.) uses a criterion of the form $d + h \geq 18$ where d means the distance between sun and moon and h the depression of the sun at moon set. It therefore seems plausible to assume that Maimonides follows in the problem of visibility a Jewish tradition, uninfluenced by Arabic methods. It is very difficult to say whether such a Jewish tradition rests eventually on Babylonian methods. The ephemerides of the Seleucid period make it probable that a criterion of the type $b + \lambda_1 \geq c$ was used, or, to be more cautious, the ephemerides certainly do not follow a criterion based on the elongation alone. Scantiness and bad preservation of texts combined with the omission of intermediate steps and the extensive use of rounded-off numbers make it extremely difficult to abstract accurate criteria from these ephemerides. Secure ground can be reached only with the discovery of procedure texts which state the rules of computation.

¹² Nallino I p. 268 ff.

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TWO PROPHECIES FROM 520-516 B. C.

JULIAN MORGENSTERN

I

INTRODUCTION

THE exegesis of any prophetic utterance recorded in the Bible is not definitive until its date and the occasion which called it forth are determined with reasonable certainty, and it can then be interpreted in relation to its historic setting. Then, in turn, it illumines this setting, and thus not infrequently discloses a new episode, and perhaps even opens up a new chapter,

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in Jewish history. True, this process represents in some measure reasoning in a circle; the interpretation of the prophetic utterance by correlating it with a historical situation, and then the expanded exposition or reconstruction of that event by the light which the prophetic utterance, thus interpreted, sheds upon it. But even though it may be reasoning in a circle to some degree, this process, if carried out with proper caution and reserve, is not only perfectly legitimate, but often becomes our chief, and occasionally even our only, source of knowledge of this or that particular event, an event which may well be of more than passing significance in Jewish history.

It is a common but rather gross error to imagine, as the majority of Biblical scholars still seem to do, that the prophets, even the literary prophets, were primarily ecstasies, who, somewhat like the modern dervishes, went about the country, giving vent to more or less irresponsible, frenzied, rhapsodic utterances, the meaning of which even they themselves, in their normal mental state, barely half understood, and which were regarded by their reverent hearers as the divinely communicated word of God, through the prophet as His involuntary and on the whole somewhat mechanical mouthpiece. There may have been something, and even much, of this in the earliest stages of the evolution of prophecy in Israel. But certainly those prophets some of whose utterances and writings have fortunately been preserved in the Bible were not of this rather primitive category. Careful study of their words reveals unmistakably that they were fully conscious of all that they were saying and doing. Even though they did unquestionably regard themselves as the agents of the divine will and purpose, and therefore functioned as prophets with a deep and positive sense of consecration, none the less they did so with full understanding of the import of their message and with full responsibility for the words which they were uttering, the principles which they were formulating and the program which they were urging. They were speaking to their own times, were dealing with the situations and attendant problems which at that moment confronted them and their people, and, in the name of the God of Israel, were advocating a way of life and of action, for the most part in the immediate future, which con-

formed completely to their principles, to their understanding of God's purpose and way of life for His people, and eventually for mankind at large, and which, they sincerely believed, God had revealed to them and had charged them to communicate, in turn, unto Israel, in order that His purpose for or through Israel in this particular age and in these specific situations might be fulfilled.

Thus the prophet's utterances always had relation to a particular historic circumstance or event. The prophet was neither an abstract philosopher or theologian, nor yet was he a preacher or a teacher in the modern sense. He spoke only upon occasion, when historical circumstance, the course of events, the mood of the people, the temper of the times, called forth, through him as the medium, an expression of God's will, purpose, life-program for Israel, and ultimately for humanity. Then and only then did he speak. And he spoke as God's messenger, as His servant, agent, mouthpiece; and the words and thoughts which he uttered were both his own words and thoughts and also those of God; for in this moment of inspiration, of revelation, he was in complete rapport with God; for the moment he and God were one.

But granting all this, and it is difficult to see how it can not be granted in its entirety, without any reservation, then it follows of necessity that no prophetic utterance in the Bible can be interpreted definitively and its full import and message be comprehended, until its historic setting, the occasion which called it forth, can be determined with a maximum of certainty and detail, and it can then be understood and expounded in direct relationship to this setting. And then, perhaps, as the next step, the historic event or occasion may be depicted anew, and in larger frame, with bolder and more certain strokes and more vivid and realistic colors. Thus we may come to know the course of Jewish history better.

The validity of these principles may be illustrated in illuminating manner by the interpretation of two brief prophetic utterances, the first of which was spoken, unmistakably, as we shall see, in 520 B. C., and, more precisely, at some moment within the final quarter of that year, and the second just four years

later, in 516 B. C., and this certainly upon the New Year's Day of that year, upon VII/10,¹ October 6.²

In the interpretation of each of these passages three procedures must be carried through successively and responsibly; (1) to recover the original text with the maximum measure of certainty; (2) to state the considerations which suggest that the passage in itself is a hortatory and literary unit; and (3) to determine the historical setting and the import of the passage in relationship to that setting. And then, since these two passages, as we shall see, are so closely related to each other in respect to the time when they were spoken, a fourth procedure, perhaps the most important of all, may be attempted, viz. a reconstruction of the history of this brief but momentous four years period, or at least of certain incidents and trends within it, based upon a proper correlation of the two passages and with the aid of other prophetic passages, also unmistakably the product of this same period.

The first of these two passages is

II

ISA. 55.1-5

On the whole the text of these five vv. is quite well preserved.³ But relatively few textual emendations need be made, and, with the exception of but one, all of them flow directly, naturally and simply from a study of the versions, coupled with the very compelling considerations of meter.

¹ For VII/10 as the New Year's Day during the period, 520-486 B. C., cf. "The Chanukkah Festival and the Calendar of Ancient Israel," Part II, 447-457.

² According to the calendrical tables in Parker and Dubberstein, *Babylonian Chronology: 626 B. C.-A. D.* 45, p. 28.

³ It is interesting to note that the recently discovered manuscript of the Book of Isaiah offers not a single variant reading. Burrows has observed (*Bulletin of the American Schools of Oriental Research*, No. 113, p. 32) that in this manuscript Isa. 54.11-55.8 are in a script somewhat different from the script of the remainder of the manuscript. This may indicate that this small section of the book was copied by a scribe who was in his task more efficient and responsible than the scribe or scribes who copied the major portion of the manuscript.

In 1a, following a hint from *G*, *Syr. Hex.* (except one mss.) and *S*, it is well to omit לכו (following לכסך); metrical considerations make this advisable. Furthermore, the omission of this one, altogether superfluous לכו (the word still remains twice in the v., in balanced positions, once in 1a and again in 1b) adds much to the literary force and grace of the v.

In 2 metrical considerations compel the omission of the altogether superfluous שמוע; so also *G*, *Syr. Hex.* and Θ .

In 3 for the sing., אונכם, read the plu., אוניכם, with *G*, *Syr. Hex.*, *V*, and Targ.

In 4 ער of *MT* is impossible, for the word is absolutely meaningless in this connection. We shall see that the v. refers to Zerubabel, and specifically so the personal pronoun implicit in the suffix of נחתיו. To say that Zerubabel was intended by the Deity to serve as a witness of or unto the nations or peoples conveys no message whatever. Manifestly we expect here some word, of which ער might be a readily comprehended corruption, which would be a proper and effective parallel to נגיד ומצח of the second half of the distich. The versions experienced difficulty with this word. *G*, *Syr. Hex.* and *V* read ערות; Λ and Σ apparently עדים; Θ apparently מורים; Targ. רב, "teacher." A very simple and natural emendation of ער, one each detail of which can be easily accounted for, and which would offer the precise parallelism of thought which we have every reason to expect here, would be to שר. The confusion between a ד and a ר is readily manifest and may be illustrated by many examples. And when a ש becomes blurred in a mss., so that the last prong of the letter on the left is erased, what remains is very closely similar to ע; the classic instance of the ready confusion of these two letters is found in וירש (read וירע) of Judg. 8.16; cf. ורשתי in v. 7. For שר with the connotation, "supreme ruler," cf. Num. 16.13; also Jer. 24.1; 26.10; 29.2; Esth. 9.3, and *passim*.

Likewise in 4 it would seem well, for the sake of euphony and to avoid weakening repetition of the word, for לאומים to read either עמים or, better, לעמים,⁴ and to emend the second לאמים, corrupted apparently by haplography, to ללאמים.

⁴ For לאומים and לאמים of *MT*, *G* and *Syr. Hex.* read נזים in both instances; *V* reads ללאמים for the first and נזים for the second; *S* reverses תלס and reads

In 5 it is well for the first גוי to read the plu., גוים, with *G*, *Syr. Hex.* and *S.* Likewise in 5 the second גוי should be omitted for the sake of the meter. Manifestly it is quite superfluous.

With these few and for the most part simple and well authenticated emendations, the following text results:

- | | | |
|-----|--|----|
| 4/3 | הוי כליצמא לכו למים/ואשר-איך-לכסף שברו ואכלו | 1. |
| 4/3 | ולכו שברו בלוא כסף/ובלוא-מחיר יין וחלב: | |
| 4/3 | למה-תשקלו כסף בלוא לחם/ויגיעכם בלוא לשבעה | 2. |
| 4/3 | שמעו אלי ואכלו טוב/ותתענו בדשן נפשכם: | |
| 4/3 | הטו אזניכם ולכו אלי/שמעו ותחי נפשכם | 3. |
| 4/3 | ואכרתה לכם ברית עולם/חסדי דוד הנאמנים: | |
| 3/3 | הךשר לעמים נחתיו/נגיד ומצוה ללאמים: | 4. |
| 3/3 | הךגוים לא-תדע תקרא/ולא-ידעוך אליך ירוצו | 5. |
| 3/3 | למען יהוה אלהיך/וקדוש ישראל כי-פאריך: | |

1. Ho, everyone who thirsts, come ye to the water,
And each of you who has no money, buy ye grain and eat;
Yea, come,⁵ buy grain without money,
Even without payment wine and milk.
2. Why do ye pay out money⁶ for that which is not food,
And your earnings for what is inadequate to satisfy?
Hearken unto Me, and ye may eat something good,
And your soul may delight itself on dainties.

לגוים for the first and ללאמים for the second. Torrey would retain לאומים and cites Ps. 117.1 in support thereof. But the very close similarity in sound of לאומים and לאמים is both cacophonous and a bit confusing. However, it must be recognized that whatever reading be preferred here, the thought of the v. is not affected thereby in the slightest degree.

⁵ The fact that לכו, "come," manifestly heightens the vividness of expression here is further evidence that לכו in 1aβ of *MT* is a gloss.

⁶ It is tempting to translate "why do ye squander (your) money." This thought is, of course, implicit in the distich. However, it should be noted in passing that שקל כסף is an idiomatic expression. Silver was apparently carried regularly in large lumps or bars, each of which had to be weighed in order to determine its precise value. Gold, on the other hand, because of its greater scarcity and relatively higher value, was used as coin in the form of small lumps or pieces, each of a more or less standardized value, and so was regularly carried in purses; cf. Isa. 46.6.

3. Incline your ears and come unto Me,
Hearken and your soul shall live;
And I will establish with you an everlasting covenant,
Even the trustworthy promises⁷ to David.
4. Behold, I have set him for nations as ruler,
As governor and administrator for peoples.⁸
5. Behold, nations whom thou dost not know, shalt thou
summon,
Yea, (nations) who know thee not, will come running
unto thee,
For the sake of Yahweh, thy God,
Yea, (even for the sake of) the Holy One⁹ of Israel,
for He has adorned thee.¹⁰

This little poem consists of four double-distichs, with close parallelism between each distich thereof, plus one single distich (v. 4). Metrically these nine distichs are arranged as six 4/3's,¹¹ all in sequence, and three 3/3's,¹² again all in se-

⁷ For חסד, "promise" cf. Glueck, *Das Wort hesed im alttestamentlichen Sprachgebrauch*: BZAW, 47 (1927), 40-43.

⁸ Of course, if לאמים be emended to ללאמים, then מצנה of MT must be read מצנה.

⁹ קדוש here in its primary sense, "the peculiar possession of" (cf. Ex. 29.36; 30.37; Lev. 19.2; 21.8; 27, 14, 21, 30; Num. 6.20; Deut. 7.6; 14.2, 21; 26.19; 28.9; Isa. 10.20 and *passim*); therefore "Israel's own deity."

¹⁰ Not "glorified thee," as it is usually interpreted. The reference is, as we shall see, to the "adorning" of Jerusalem by the building of the Temple (cf. Isa. 60.9, 13; Ezra 7.27).

¹¹ The two distichs in v. 1 might just as well be regarded as two 4/4's. This would result if ואשר-אלו כסף in laβ were given two beats and ובלוא מחיר in 1bβ were likewise given two beats. However, this would not alter nor affect the manner of reading in any way; and the manner of reading or speaking is always the prime consideration in determining metrical form. Moreover, after בלוא in 1ba, ובלוא in 1bβ merely reechoes the thought and so ceases to be emphatic and therefore to need a beat. And since the four following distichs are all 4/3's, it seems best to regard 1a and 1b as 4/3's also.

¹² 5a might be read as a 4/3, or even a 4/4, by separating לא and ולא from the verbs which follow immediately, thus making these negatives emphatic, and so giving either both, or else only לא in 5a a beat. Again, the manner of reading or reciting the distich would be affected little thereby. And again, since the distich immediately preceding and that immediately following are both 3/3's, it seems best to regard 5a as a 3/3 likewise.

quence. It is marked likewise by almost complete absence of chiasm.¹³

A distinctive characteristic of literary style is the frequent and effective repetition of words in close juxtaposition. We note the following: לכו (1a, 1b, 3); כסף (1a, 1b, 2a); שברו (1a, 1b); לוא (before a noun) (1b [bis], 2a [bis]); אכלו (1a, 2b); נפשכם (2b, 3a); שמעו (2b, 3a); הן (4, 5).

This little passage is readily comprehensible, for it presents a well unified thought and picture.¹⁴ It begins with a reference to a condition of thirst and hunger, from which the people are suffering at the moment. It suggests that in the current scarcity of food the wealthy have been purchasing supplies at relatively fabulous prices, and that even thus they can barely subsist, while, correspondingly, the poor, who can not pay the prevalent high prices, are on the verge of starvation. It goes on then to affirm that if only the people will hearken to the Deity and do His will, this unhappy condition will cease. This suggests, in turn, that this condition has actually been sent by the Deity for the people's discipline and correction. It does not indicate in what particular respect the people have been remiss, nor just what it is that the Deity is demanding, or at least expecting, of them at this particular moment.

But it does go on to say, in unmistakable terms, that, if they will only hearken to the Deity and do His will in the proper spirit and manner, not only will their present need of food be satisfied, but also, in fulfilment of His traditional promise to David, the Deity will now set a descendant of that great king upon Judah's throne once again, and, even more, He will restore the old Davidic empire, not merely in its traditional, but now in greatly idealized and expanded boundaries. This Davidic king of Judah will not only rule over his own people, but will exercise authority over other nations as well, nations which have hitherto never heard of Judah, yes, nations of which Judah, for its part,

¹³ Very faint traces of chiasm may perhaps be discerned in 1b and 2b.

¹⁴ It is not at all impossible that the passage is not preserved in its original, complete form, that a few vv., which developed the thought even more fully, may have been lost from the end, following v. 5; but of this we can not be certain.

has never even heard, in other words, nations which dwell exceedingly far from Judah, even at the very ends of the earth; the new Davidic empire will be world-wide, and the authority of the new Davidic king will extend over all the nations.

Moreover, this world-dominion and world-authority of this Davidic king will be achieved, not at all by war and world-conquest, but rather by the voluntary submission to him of all the nations of the world. Of their own accord they will come running to him, with the immediate purpose of submitting themselves to him and being incorporated into his empire, but also with the ultimate and larger purpose of becoming devotees of Yahweh, Israel's God, and of participating in His worship in His sanctuary in Jerusalem. For this reason primarily they will come running, speedily and eagerly, to the holy city, where Israel's God may best be found.

For a moment's consideration must make it clear that, as the use of the second masc. sing. indicates, in v. 5 it is the people, Israel, which is addressed. It is the people, Israel, to whom the most distant nations are to submit themselves, and whose God they will seek out. It is the people, Israel, under its new Davidic king, whom Yahweh will adorn; and this adornment of people and land can be only the Temple.¹⁵ The clear implication is that the Temple is about to be rebuilt.¹⁶ It will be the true goal of the migration of all these distant nations to Judah and Jerusalem. There they will join in the worship of Israel's God, who is, by unmistakable implication, the God of all the world, the one, universal God. And, by further implication,¹⁷ when all these nations shall have voluntarily submitted themselves to Israel's new Davidic king and have been incorporated into his world-empire, all primarily that they might join in the worship of

¹⁵ For the Temple in all its beauty as an adornment cf. Hag. 2.7–9; Isa. 60.7, 9, 13; 63.15; Ps. 96.6; Ezra 7.27; cf. above note 10.

¹⁶ פִּאֲרָךְ must, of course, be construed as a precative perfect, describing an action or condition of the immediate future as so sure of realization that it may properly be described as actually completed.

¹⁷ Which may perhaps have been expressed graphically and in detail in the potential missing conclusion of this prophetic address, which we have just postulated; cf. note 14.

Yahweh as the universal God, in the Temple in Jerusalem, then true world-unity will have been achieved, all warfare and strife between nations will have been terminated forever, and the nations will have joined in living the life which Yahweh had at the very beginning, at creation, instituted for all men. From the Temple they will receive Yahweh's revelation, His Torah, and will learn to walk in His way; and thus they, all the nations of the earth, will find salvation. All this seems to be implicit in this brief prophetic address, or fragment of an address.

The dependence of the thought of this address upon the message of Deutero-Isaiah is manifest at a glance. He had announced, in 539 B. C., that Jerusalem would be restored and the Temple rebuilt,¹⁸ had summoned all the nations to turn unto Yahweh and find salvation, and had proclaimed as His plan and purpose, from the very beginning of time, that unto Him every knee should bend, by His name every tongue should swear.¹⁹ Actually this little address represents Deutero-Isaiah's vision and program as about to be fulfilled, but under conditions altogether different from what that prophet had envisaged as Yahweh's will and purpose. For Deutero-Isaiah had conceived of Cyrus, the Persian monarch, as the world-ruler, chosen by Yahweh for this exalted role; and he had even, speaking, as he believed, in the name of Yahweh and as the agent of His plan and will, applied to Cyrus the significant title, משיחו, "His anointed one,"²⁰ and thus had indicated clearly that, as he conceived of it, Yahweh had willed and destined²¹ Cyrus, "the vulture from the east,"²² and not a descendant of David, to be His chosen world-ruler. Neither had Deutero-Isaiah suggested, probably because he had not contemplated it, that the nations must come up to Jerusalem, to acknowledge Yahweh as the one world-God and to join in homage to Him. He had conceived and spoken of the conversion of the nations to recognition of

¹⁸ Isa. 44.28; 45.13.

¹⁹ Isa. 45.22-23.

²⁰ Isa. 45.1; cf. the parallel royal title, רעי, "My shepherd," in 44.28.

²¹ Cf. Deutero-Isaiah's designation of Cyrus as איש עמתי, "the man of My plan;" 46.11.

²² Isa. 46.11.

Yahweh and submission to Him only in the most general terms, but as the indispensable preliminary to, or at least as the accompanying circumstance of, their finding that salvation which Yahweh had purposed for them. The dependence of the thought of this address upon Deutero-Isaiah is self-evident; but manifestly, too, the situation, in which this address finds its setting, had changed markedly from that of 539 B. C., when Deutero-Isaiah began the proclamation of his message.

Equally apparent is the very close relationship of the thought of this passage to the thought of the message of Haggai. The picture of the extreme scarcity of food, with the attendant disorganization of economic and social conditions, so graphically portrayed here, is identical in every way with that recorded in Hag. 1.6-11; 2.15-19. There had been a very severe drought, apparently extending over several years in succession. In consequence crops had proved woefully inadequate, and the people had suffered great, even extreme, need and distress. Haggai declared that this drought, with all its attendant suffering, had been sent by Yahweh to discipline the people because of their unwillingness to do His will. What did He demand of them? Merely that they make an earnest effort, with their labor and their material means, to rebuild the Temple, which had been lying in ruins since 586 B. C. This they were well able to do; for, if they could afford to dwell in ceiled houses, they could certainly afford to rebuild the house of Yahweh; and indeed this should have had precedence over the satisfaction of their own needs and comfort. Therefore Yahweh had withheld rain from heaven, and had blasted what poor crops there were with blight and mildew, with the result that they had actually harvested even less than they had sowed. If persisted in too long, starvation and utter doom could alone be their portion from their God. Now let them take this message to heart and proceed to the rebuilding of the house of Yahweh in Jerusalem. Then, they may be assured, Yahweh's displeasure with them would be ended and would be turned to satisfaction. Then this bitter period of famine, want and economic and social decline would end, a new period of unparalleled plenty and prosperity would set in, and the people could then feel once again that they were blessed by Yahweh,

and were even a source of blessing among the nations, as Zech. 8.9-15, with reference to this very same experience of famine and distress, puts it.

Manifestly this famine was an actual, historic event, which had extended over several years in succession and reached its climax in 520 B. C., the year during the closing months of which Haggai delivered his several prophetic messages. That Haggai's words achieved their purpose, at least to some degree, is attested by Hag. 1.12, 14. And that actually, beginning with 519 B. C., i. e. immediately after the work upon the new Temple was inaugurated and its foundations were laid, the crops became abundant once again and the economic circumstances of the people improved, is clearly evidenced by Zech. 8.9-15. Apparently, even as Zech. 8.9 implies, the promise of Haggai, spoken in the name of Yahweh, was fulfilled literally and completely.

It is impossible not to believe that Isa. 55.1-3 has this same circumstance of famine, affecting the entire people, as its historical setting. Furthermore, it is clear that the famine is still in effect, that better crops and an adequate, and even an abundant, food-supply are still merely predicted, but the improvement in conditions has not yet begun. It follows therefore that this address must have been delivered before 519 B. C., while the famine was in progress, and probably at its very climax. This would suggest that this prophetic message, too, must have been delivered in 520 B. C., at practically the same time that Haggai was uttering his successive messages.

Moreover, the tenor of this message is, in considerable part, the same as that of Haggai. It, too, affirms that this drought, with all its attendant suffering, was sent by Yahweh to discipline the people for their reluctance and failure to do the Deity's full will. It does not say, as explicitly as do the utterances of Haggai, in just what specific respect the people were falling short of their duty to their God; but the thought is not remote, and is, as we have seen, implicit in the one word, פִּתּוּךָ, that this passage, too, is summoning the people to rebuild the Temple. However, it goes beyond Haggai in one particular respect, and in so doing comes much closer to the thought and vision of Deutero-Isaiah, upon which both it and Haggai are dependent. Hag. 2.6-9 envisages

the tribute of the nations of the earth flowing into the Temple in such abundance that the glory of this new Temple will even surpass that of the first Temple. But apparently Haggai did not envisage the pilgrimage of nations from the most distant parts of the earth to the Temple, there to acknowledge Yahweh as the world-God and to render unto Him their homage and to join in His worship.²³ In this respect Isa. 55.1-5 is decidedly more universalistic in thought and outlook than is Haggai.

One other basic thought this little prophetic utterance has in common with Haggai, viz. its contemplation of the elevation of Zerubabel, the descendant of David, not merely to kingship over Israel, but also to true world-dominion. In this respect not only this passage, but also Haggai, and Zechariah likewise, in the earliest, brief period of his prophetic ministry,²⁴ departed from the thought and program unfolded by Deutero-Isaiah. They rejected his message that Cyrus was destined by Yahweh to be the supreme world-ruler and the Persian Empire the divinely appointed world-empire, which would unify all nations and the entire world under one rule. Instead they envisaged the overthrow of Persia, the ascendancy of Israel in its place to the position of world-domination,²⁵ and Zerubabel, the scion of David, as the world-ruler, in fulfilment of Yahweh's ultimate purpose and in compliance with His promise to or covenant with David.

The classic record of Yahweh's covenant with David is found, of course, in 2 Sam. 7. The full content of the covenant becomes clear, however, only when this primary record is supplemented by Ps. 89.4, 16-50; 72.8-11. It implies that Yahweh had promised to David in his old age that his posterity would sit upon the throne

²³ Unless, perhaps, the vague statement in Hag. 2.9b, that in this new Temple Yahweh will establish peace, implies that, through their collective worship of Yahweh in this new sanctuary, the nations will achieve world-unity, and that thereby the cessation of all warfare and universal peace, emanating from the Temple, will be effectuated.

²⁴ Cf. Zech. 4.6a β -10a; 6.9-13a.

²⁵ Zech. 4.6-7 seems to contemplate the overthrow of the Persian Empire by Zerubabel. הר גדול, "Great Mountain," here obviously used as a title of address, is a literal Hebrew rendition of *šadū rabū*, the title by which Enlil, the ancient Akkadian deity, was commonly designated; cf. KAT³, 355, 358.

of Judah forever, furthermore, that should any of the successive rulers, members of this dynasty, disobey and displease Yahweh, Yahweh would only discipline him in human fashion, but would under no condition reject and overthrow the dynasty. This covenant with David was to endure for all time, with the result that the dynasty would be everlasting.

Moreover, the dominion over which this dynasty would rule was to be world-wide, a world-empire in very truth. It was to stretch from sea to sea, i.e. from the Mediterranean to the Persian Gulf, and from the Euphrates to the ends of the earth.²⁶ Within it each successive Davidic king would rule with complete righteousness, in accordance with Yahweh's standards of conduct and human relations. The prerogatives of the poor, the needy and the oppressed would be zealously safeguarded; absolute justice would prevail throughout the world. The rulers of all countries would submit to him and lay their treasures at his feet. All the nations would serve him.

One particular function one member of this dynasty was to perform, a function which represented apparently his major obligation and that of his dynasty in the compact or covenant of Yahweh with it, viz. to build, and, of course, thereafter to maintain, the Temple. On the surface this would seem to refer specifically to Solomon, the actual builder of the first Temple; and 1 Chron. 28-29, and specifically 28.2-7, affirm positively that Solomon was indeed the one chosen by Yahweh to perform this major task. But this is only the interpretation read into this covenant tradition by a relatively late age. Actually none of the major records of the covenant with David makes mention of Solomon by name, although 2 Sam. 7.12-13, interpreted with absolute literalness, might well be thought to contemplate Solomon specifically.²⁷ But if the passage be interpreted with

²⁶ Ps. 72.8.

²⁷ And indeed the introductory word of Ps. 72 states specifically that the king whose wise and just world-dominion is depicted in the Psalm was, or is, Solomon. But this one word is manifestly a relatively late editorial prefix to the Psalm, recording what had undoubtedly become popular tradition. Therefore it has actually no more historical value than the tradition recorded in 1 Chron. 28-29.

reasonable allowance for figurativeness of expression, in full accord with the spirit of the Hebrew language, the one who would come forth²⁸ from David's loins, would sit upon his throne and would build the Temple, might just as well be Zerubabel as Solomon. This seems to be the implication also of the otherwise almost inexplicable word, למרחוק, in v. 19; for this word suggests that what this record of the covenant with David contemplates is something which concerns, not the immediate present, but rather a time which, in relation to David's own day, is far distant indeed.

Moreover, the concluding portion of Ps. 89, vv. 39-47, 50-52, can not by any stretch of the imagination be made to refer to Solomon. A different descendant of David is the subject of the thought here, one whose high expectations of the fulfilment of the covenant with David have been grievously disappointed, who has been overwhelmingly defeated by his enemies, the neighboring nations, has been made to flee before them, and, apparently, has even been captured and executed by them. The situation here depicted fits none of the pre-exilic kings of Judah.²⁹

²⁸ Notice that in 2 Sam. 7.12 the verb, יָצָא, is an imperfect, implying seemingly that the descendant of David and future king of Israel, here envisaged, was still to be born. But certainly the time-setting of 2 Sam. 7, even though it precedes 2 Sam. 11 in its position in the book, was when David was already well advanced in years and Solomon had already been born. Moreover, the statement in 2 Sam. 7.1, that Yahweh had given David relief and rest from all his enemies round about certainly implies that the Ammonite war, the setting of 2 Sam. 11, was a past experience.

²⁹ Unless, perhaps, Zedekiah; cf. 2 Ki. 25.4-7; Jer. 52.7-11. But it is inconceivable that the thought or doctrine of the covenant with David should have been made to apply to Zedekiah at any time during the course of or after his reign. Nor can he be regarded in any way as a builder or rebuilder of the Temple. If the concept of the covenant with David did not arise already in the tenth century B. C. and apply originally to Solomon, and this does not seem at all probable or even possible, then it could have arisen only at a time when the Temple was no longer standing but the thought of its restoration had begun to be cherished, i. e. during the period of the Babylonian exile, somewhat towards the end thereof. And the covenant, conceived at just this time, could contemplate only that descendant of David who was expected to rebuild the Temple. This could have been only Zerubabel. Other cogent evidence confirms this conclusion absolutely; but to develop this evidence adequately would lead far beyond the scope of this study.

But neither, at least so far as we know, does it apply altogether to Zerubabel; for while we have no inkling whatever just what the fate of Zerubabel may have been, we do know at least that he must have been disposed of and put out of the way, not by the neighboring nations, as is here stated explicitly, but by the Persians. Furthermore, while the evidence bearing upon this matter is exceedingly scanty and altogether indecisive, there is compelling reason to believe that the Persians put an end to Zerubabel's short-lived rebellion, not by any brutal and costly war, which affected the entire Jewish community of Palestine in the manner depicted in this passage from Ps. 89, and likewise in various other Psalms and in other Biblical writings, but quickly, easily and without arousing bitter, irreconcilable enmity on the part of, and without working much damage to, the land and its people. On the other hand, there is very good reason to conclude, from abundant and cogent Biblical evidence, that the reference here is to still another and a later attempt of post-exilic Jewish nationalists to throw off the Persian yoke, gain political independence and set a scion of David upon the throne, an attempt which eventuated in a Jewish national catastrophe of the most extreme character and extent.³⁰ To this scion of David, too, in 486-5 B. C., the tradition of Yahweh's covenant with David could apply just as well as to Zerubabel.³¹

³⁰ The evidence for all this and the far-reaching conclusions to be drawn from it I hope to treat in detail in due time in a study to be entitled "Jerusalem — 485 B. C."

³¹ Actually the reference to the Davidic covenant in Jer. 33.17-26 applies not at all to any pre-exilic, Davidic king of Judah nor yet to Zerubabel, but only to this still later aspirant to the ancestral throne. This is proved by two considerations. The first is the coupling of the covenant with David with the tradition of the ancient covenant with the Levitical priests; for we know, again from abundant and compelling evidence, that, not the Zadokite, but the Levitical, priests functioned in the second Temple during the brief period of its existence, 516-485 B. C. (cf. particularly Mal. 2.1-9, a passage coming from about 490 B. C.). Therefore this coupling of the tradition of the covenant with Levi with the tradition of the covenant with David could have eventuated only after the erection of the second Temple and the induction of these Levitical priests into their high office therein, i. e. only after the rebellion of Zerubabel had been crushed and Zerubabel himself had disappeared from the stage of history. This means, in turn, that, despite the utter failure of the

On the other hand, in the light of this evidence, which might be multiplied considerably, were it necessary, that this tradition of the covenant with David was current during the early post-exilic period, it is reasonable to infer that 2 Sam. 7 actually envisages, not Solomon at all, but, instead, Zerubabel as the builder of the Temple. And we may be equally certain that Ps. 72, even though its relatively late, editorial superscription affirms that its reference is to Solomon, actually contemplates Zerubabel as the destined world-ruler, whose dominion will extend from sea to sea and from the Euphrates to the ends of the earth, that kings will come, voluntarily of course, and submit themselves to him and the kings of the most distant lands, Tarshish and Sheba, even those nations at the very ends of the earth, will come and lay their treasure at his feet and become subservient to him. This same high station of world-dominion was likewise envisaged for Zerubabel by Haggai.³²

But precisely this is the promise of Yahweh to the descendant of David with whom the ancient covenant is to find fulfilment,

rebellion of Zerubabel in 520 B. C., the tradition of the covenant with David persisted in nationalist party circles and, some thirty years later, came to be applied by them to another scion of David, who led another and an equally unsuccessful rebellion (cf. note 30).

The second consideration is the unmistakable implication of vv. 23-26, that at the time when these words were uttered the popular expectation was gaining ground that, for some reason not stated here, Yahweh was on the point of repudiating both covenants, that with the Levites and that with David. These vv. reject this thought vigorously and with no small measure of indignation and affirm, as absolutely as possible, that both covenants will endure forever, even as Yahweh had contemplated from the very first. This belief or expectation could have been formulated only during the period when these Levitical priests were still in office, i. e. during the period 516-485 B. C., and most probably towards the end of this period or else very soon thereafter. In addition to the above-cited passage from Mal., we have abundant additional biblical evidence all pointing to the conclusion that around 490 B. C. opposition to the ministry of the Levitical priests in the second Temple began to crystallize and to agitate for the restoration of the Zadokite priests, the vast majority of whom were still resident in Babylonia, whither they had been carried in 586 B. C., to the position of priestly ministry and authority which they had held in the pre-exilic Temple. This matter, too, I hope to treat in detail in a later study.

³² 2.6-9, 21-23.

set forth in Isa. 55.4-5. He is to be the ruler of nations, the governor and administrator of peoples. Nations whom Israel does not know and who, in turn, have never heard of Israel, all because they dwell too far away, in other words nations who dwell at the very ends of the earth, will come running unto Israel, i. e. will come voluntarily and eagerly, and will submit themselves to Israel and to Israel's newly appointed, Davidic king, so it is clearly implied, so that they, too, might come under the protection of Yahweh, the God of Israel, its Holy One, who is also, in truth, the one world-God, might attach themselves to Him³³ and join Israel in its worship of Him, and thus might find that salvation which, presumably, they were seeking so eagerly, and which had been promised to them as coming from Yahweh by Deutero-Isaiah. The Temple will be rebuilt as the adornment of Jerusalem and of the Jewish nation, and thus Israel will become, in fulfilment of Yahweh's purpose and promise to David and to His people, the head of a unified world-empire, embracing all the nations of the earth, all humanity. This is unquestionably the meaning and message of Isa. 55.1-5. Manifestly the scion of David, whom it contemplates as the one to whom and through whom God's promises to David will be fulfilled, is Zerubabel. It can be none other. But once this fact is recognized, then it becomes impossible not to date this little prophetic utterance to 520 B. C., and regard it as practically from the same time³⁴ as Hag. 2.10-23.

But with this understanding of the unmistakable meaning and message of this little passage, it becomes evident, almost at a glance, that it can not possibly be a unit, either literary or hortatory, with the remainder of the chapter, vv. 6-13. The theme of those eight vv. is utterly different and unrelated. They constitute a moving appeal to the individual sinners in Israel to repent and return to God, and give positive assurance of divine pardon and restoration to right relations with the Deity; and this just because God's ways are altogether different from and immeasurably superior to man's ways, and because divine purpose, far larger and deeper than man's purpose, either individually or

³³ Cf. בני הנכר הנלוים עליהוה of Isa. 56.6; also 14.1.

³⁴ Cf. Additional Note A.

collectively, animates and governs all the universe and must achieve God's eternal and universal goal completely. This is neither the time nor the place to make an analytic study of this passage and determine the probable date and occasion of its utterance. Suffice it to establish here that the theme of this passage, strong and stirring though it is, is so remote from that of vv. 1-5, that no conclusion is possible other than that the two little passages are totally unrelated. Very plainly they deal with altogether different situations and strive for different goals, and so must be the product of different times and occasions and the utterances of different prophetic speakers.³⁵

So much, for the present, for Isa. 55.1-5.

The second passage which we must consider, with careful analysis and interpretation, consists likewise of but a few verses, but is of equal import for the reconstruction of the history of Judaism and of the Jewish people in the brief but momentous period, 520-516 B. C. It is

III

ISA. 60.1-3, 5-7

Again our first task must be to reconstruct the original text with the maximum measure of probability. This task is not unduly difficult, for all in all the Masoretic text is in excellent condition.

In v. 2 the article of הַחֵשֶׁךְ should be omitted, in accordance with *G* and in conformity with the opinion of practically all scholars. It is obviously a dittograph.

At the end of the first distich of v. 2 a word seems to have been lost, a verb which would provide, in the second stichos of the distich, the proper and expected parallelism to the first stichos. As it stands now, the verb of the first stichos, יִכְסֶה, must govern the thought of the second stichos also; but, to say the

³⁵ Upon another occasion I hope to show that Isa. 55.6-13 must have been uttered by some prophetic speaker, probably before some synagogal assembly, upon Yom Kippur, the Day of Atonement, at some time about the middle of the fourth century B. C., i. e. approximately a century and a half, or even slightly more than this, later than Isa. 55.1-5.

very least, this is awkward and inelegant and certainly does not befit the style of the poet-author of this passage. Moreover, as it stands now, the distich must be read in the $3/2$ meter. But we shall soon see that, with the exception of the introductory distich, v. 1, which states the theme of this prophetic poem, and which is a $4/4$, the remaining nine successive distichs of the poem are all $3/3$'s, with the possible exception of one $3/3/3$ tristich. In such a metrical setting it would be surprising indeed, and even a bit disturbing, to have to read 2a as a $3/2$. All these considerations suggest strongly the propriety of supplying a suitable verb here. This must be done, of course, entirely by conjecture, since the versions offer no help whatever. On the basis of Job 38.9, **יחל** suggests itself.³⁶

In 5a for **ופחד**, which certainly voices a thought most surprising, and even disturbing, in this setting, read, with *S* and with one mss. of *Syr. Hex.*, **וחרית**. This provides the precisely parallelistic thought which is expected here. Certainly the textual emendation involved in this emendation, is of minimal character. In 5b for **יבאו** read the sing., **יבא**, since the subject, **חיל**, is sing.

As v. 6 stands in *MT*, it must undoubtedly be read, with Torrey, as a tristich and a distich. This is not at all bad, nor even stylistically inelegant. Yet careful consideration suggests that the v. might be better arranged metrically as a triple distich, three $3/3$'s, of which the final stichos of the last distich has been lost; this may perhaps have read **וישועתו עד־אפסי ארץ** or somewhat similar. It must, however, be recognized, that this is actually only an unsubstantiable conjecture, which has only a considerable measure of probability to commend it, plus the two considerations, (a) that a tristich at this point in the development of the poem would be a bit surprising, and (b) that this arrangement provides a much more logical and effective parallelism of thought between the stichoi of the second distich than would the arrangement as a tristich and a distich.

In 7a **ישרתוך** is impossible, as has been recognized by many commentators. Were it retained, this would be the only passage

³⁶ Cf. Additional Note B.

in the entire Bible where שרת connotes aught but personal, human ministration. The parallelism of thought between the two stichoi will not permit this interpretation of the verb. Manifestly the versions themselves were dissatisfied with this verb, although their variant renderings help not at all to recover the original reading. The conjectural emendation, first proposed by Klostermann, ישחרונך, involves a minimal textual emendation; but it hardly expresses the precise thought which might be expected here, and so, while accepted by the majority of modern commentators, it has been rejected by others. However, it may be accepted tentatively, for want of some better and more probable suggestion.

Certainly in 7b for על־רצון מובחי of *MT* we must read with *S*, *Syr. Hex.*, and now with the newly discovered mss. of the Book of Isaiah, לרצון על־מובחי.

Similarly, in 7b for תפארתי we should read חפלתי with *G*, *Syr. Hex.*; cf. Isa. 56.7. Certainly תפארתי would be a stylistically inelegant term immediately preceding אפאר.

With these relatively few, simple and, for the most part, cogent emendations, the text of these vv. may be reconstructed as follows:

- | | |
|-----|--|
| 4/4 | 1. קומי אורי כי־בא אורך/וכבוד יהוה עליך זרח |
| 3/3 | 2. כי־הנה־חשך יכסה ארץ/וערפל לאמים יחל |
| 3/3 | ועליך יזרח יהוה/וכבודו עליך יראה |
| 3/3 | 3. והלכו גוים לאורך/ומלכים לנגה זרחה |
| 3/3 | 5. אורי ³⁷ תראי ונהרת/וחדית ורחב לבבך |
| 3/3 | כי־הפך עליך המון־ים ³⁸ /חיל גוים יבא־לך |
| 3/3 | 6. שפעת נמלים חכסך/בכרי מדין ועיפה |
| 3/3 | כלם משבא יבאו/זהב ולבנה ישאו |
| 3/3 | 39 וטהלות יהוה יבשרו/וישועתו עד־אפסי ארץ |

³⁷ Metrical considerations require that אורי be given a full beat, and so be interpreted as an emphatic word.

³⁸ ים־המונים must be read together as one beat, which is easily possible, since each word is a monosyllable and together they express a well-unified concept, "maritime commerce."

³⁹ Perhaps the conjunctive ו of וטהלות should be omitted. With this arrangement of v. 6 as three distichs, this ו is not only superfluous and inelegant, but the thought would be expressed more effectively without it.

3/3 כל־צאן קדר יקבצו־לך/אילי נביות ישחרונך .7
 3/3 יעלו לרצון על־מזבחי/ובית תפלתי אפאר

1. Arise, gleam, for thy Light hath come,
 And the radiance of Yahweh hath risen⁴⁰ upon thee.
2. For, behold, darkness doth cover the earth,
 Yea, utter blackness doth envelop the peoples;
 But over thee hath Yahweh risen,⁴⁰
 And His radiance hath disclosed itself unto thee.
3. And nations shall come unto thy Light,
 Yea, kings unto thy resplendent sunrising.
5. Then shalt thou behold and become radiant,
 And shalt rejoice and thy heart shall expand;
 For the commerce of the sea shall be diverted to thee,
 The merchandise of (foreign) nations shall come unto thee.
6. Camels in multitude shall cover thee,
 The young camels of Midian and Ephah;
 All of them coming from Sheba,
 Bearing gold and incense,
 And carrying the tidings of Yahweh's praiseworthy acts,
 And of His salvation unto the ends of the earth.
7. All the sheep of Kedar shall gather unto thee,
 The rams of the Nabataeans shall seek thee;
 They shall come upon My altar (as a sacrifice) for (My)
 favor,
 And My sanctuary⁴¹ will I make resplendent.

The metrical form of this little poem is simple and effective. It consists, if our reconstruction of v. 6 be approved, of one 4/4 plus ten 3/3 distichs; if our reconstruction of v. 6 be rejected,

⁴⁰ "Like the sun," זרח.

⁴¹ בית תפלה would seem to designate primarily a sanctuary in which prayer and supplication constituted the basic element of the ritual, in contrast to the Temple, which was primarily the place of sacrifice. In other words, בית תפלה would seem to apply specifically to the Synagogue, in contradistinction to the Temple. However, it is clear that by 516 B. C. בית תפלה had become a term sufficiently broad and inclusive in its connotation to have the general meaning, "sanctuary," and to apply to both the Temple (as here and in Isa. 56.7) and synagogues.

then of one 4/4 plus eight 3/3's plus one 3/3/3 tristich. The 4/4 distich comes at the very beginning of the poem, and is of introductory character, in that it states clearly the theme of the poem, viz. what will happen now that the Light has come unto Jerusalem. The question implicit in the theme is then worked out in detail in a series of three-beat stichoi, arranged in distichs, with one possible tristich, with remarkably effective parallelism between the stichoi within each distich,⁴² and with an occasional chiasm. It is a magnificent poem in every respect, characterized by felicity of expression, vividness of depiction and sincerity and vivacity in the unfolding of its theme.⁴³

In the poem Jerusalem is addressed in the 2nd, sing., fem. It is bidden arise, obviously from its prostrate position of subjection, humiliation, despair and grief,⁴⁴ to new hope, faith and vision, in the realization that, impliedly, at long last its Light has come. This is no ordinary light; it is the light of Yahweh's

⁴² This parallelism is heightened decidedly if v. 6 is arranged as three 3/3's rather than as 3/3/3/, 3/3.

⁴³ Both Duhm and Marti hold that the whole of Isa. 60 is a literary unit, one single prophetic utterance. Both, however, affirm that the introductory portion of the address, i. e. just vv. 1-3, 5-7, is vastly superior in its literary quality to the remainder, more than two thirds, of the poem. They maintain that the poetic power of the author declines steadily as the poem unfolds. It is surprising indeed that, with this initial observation, either or both of these distinguished commentators, neither of whom was particularly conservative in his technique and in the conclusions arrived at thereby, should not at least have suggested that the chapter might not be a literary unit, but instead might well be composite, the result of the fusion of two originally totally unrelated prophetic utterances, the words of two different prophetic speakers.

⁴⁴ Precisely the same symbol is employed by the authors of 51.17 ff. and 52.1 ff. These were prophetic speakers or writers who lived at a somewhat later age than the author of our passage. Not at all impossibly, nor even improbably, Isa. 60.1 suggested this symbolism to those later prophetic authors. However, even more graphic than any of these passages and even more illuminative of the particular situation here implied, is Amos 5.2:

Fallen, no more to rise, the virgin, Israel,

Prostrate upon her soil, with none to lift her up.

This is a vivid and moving portrayal indeed of the catastrophic doom which Amos has announced as Yahweh's purpose with His faithless and recalcitrant people. This may well be the initial formulation of this poetic figure, upon which even Isa. 60.1-3, 5-7 is more or less dependent.

presence, the כבוד יהוה, the radiant form which Yahweh was thought to assume whenever He would come into direct contact with and reveal Himself unto Israel.⁴⁵ Here, very significantly, the coming of the כבוד יהוה is described by the verb, זרח, "to rise (like the sun)". The כבוד יהוה, "the radiance of Yahweh," rises like the sun upon Jerusalem and Israel. It is, in fact, the first rays of the rising sun upon the day of the fall equinox, VII/10 of the solar calendar, which was inaugurated by Solomon,⁴⁶ the New Year's Day of that calendar. Upon this day, the most important day of the entire year in the reckoning of this solar calendar, just before dawn the eastern gate of the Temple was thrown open, in order that the first rays of the rising sun might shine directly in through it, then over the altar in the eastern court, onward through the open doors of the Temple building proper, down the long axis of the building and into the *d'bir*, the sacred cell, at the far western end.⁴⁷ This solemn and dramatic ceremony marked the coming of Yahweh Himself, in His radiant form, into His Temple, upon this most sacred of days, the יום הדין, "the Day of Judgment," as it came to be called in later Jewish liturgy, there to sit in judgment upon Israel⁴⁸ and, in the period of dominant universalism, upon all the nations of the earth.⁴⁹ It is beyond all question to this specific ceremony, with all its rich symbolism, that v. 1 refers. This is the setting of this prophetic poem. Manifestly it must have been spoken in the Temple and shortly after sunrise of some New Year's Day. Upon any other occasion and in any other setting this utterance would be altogether pointless and ineffective. In this setting it becomes rich in meaning.

But a moment's further thought shows clearly that this setting is not at all that of an ordinary New Year's Day. Plainly this is a New Year's Day of unusual character and of unique significance. For it the Jewish community of Jerusalem has

⁴⁵ Cf. "Biblical Theopanies."

⁴⁶ Cf. "The Chanukkah Festival and the Calendar of Ancient Israel," II, 375 ff.

⁴⁷ Cf. "The Gates of Righteousness."

⁴⁸ Cf. Isa. 6.1-13.

⁴⁹ Cf. Ps. 96.10-13; 98.1-9, both New Year's Day psalms.

waited, so the prophet implies, long and eagerly, but apparently with repeated frustration and long-deferred and steadily diminishing hope. In its despair Jerusalem has been lying completely prostrate upon the ground. Now, joyously, eagerly, the prophet bids it rise and stand erect, for at last, after long, hopeless waiting, its Light has come, no ordinary light, but the Light of Yahweh's radiance, of His כבוד, the manifestation of His presence in His Temple in the midst of His people. Very plainly this is an experience which Israel has not enjoyed for many a year, for which it has hardly dared hope even upon this particular New Year's Day. Therefore it is still lying prostrate, not even venturing to raise its head in hesitant hope that perhaps this might be the day, that at last, upon this particular New Year's Day, the Light, Yahweh Himself, might come again unto it in all His glorious radiance. Now the prophet bids it lift itself and stand erect, for indeed its Light has come, yea, Yahweh's radiance has risen upon it, even as the sun. What particular occasion and what especial New Year's Day could this have been?

To this question there can be only one answer. The specific New Year's Day is the day of the fall equinox of 516 B. C. The occasion is the dedication of the second Temple upon that day.⁵⁰ For exactly seventy years, since its destruction by the Babylonians in 586 B. C., the Temple had been in ruins. And without the Temple the ancient solar rite which inaugurated each successive New Year's Day, the coming of the כבוד יהוה, the first rays of the rising sun upon this day of the fall equinox, through the open eastern gate of the Temple, naturally could not be performed. This meant more, much more, than the interruption and discontinuance of a religious ceremony, even one of extreme importance. The ceremony had a secondary, portentous character. If the sun's rays shone in through the eastern gate and down the long axis into the very heart of the Temple, the *d'bir* at its far western end, it augured well for the people, a new year of divine blessing, of abundant crops, successful commerce, victory

⁵⁰ For the New Year's Day as the proper and, in fact, the only logical, and therefore the regular, occasion for the dedication of sanctuaries among the ancient Semitic peoples, cf. "The Three Calendars of Ancient Israel," 36-58.

over foreign enemies, national achievement and progress. But if clouds covered the horizon and obscured the sun, if the solar rays could not break through, and the *d'ebir* within the Temple were not illumined, if the Light did not come, if the day was one of darkness and not of light, then it augured ill for the people, at least for that year; it meant Yahweh's disfavor, the withdrawal of His protection and His blessing, and resultant catastrophe and doom for the little nation.⁵¹

For the last seventy years the Temple had been lying in ruins, so that this portentous ceremony could not be performed at all. During this entire bitter period the little Jewish community of Palestine, all that survived of the ancient nation upon its native soil, had lain prostrate indeed, subject first to the Babylonians and then to the Persians, the helpless victim of warfare and oppression, with hopes constantly frustrated, seemingly completely rejected by its God, and therefore doomed forever. But now, at long last, the Light has come again, with all its augury of a bright and blessed tomorrow, of a new year crowned with Yahweh's favor. Well might Israel, the prostrate virgin, stand erect once again and revive its hope and its faith.

But all this could have transpired, the Light could have come, only if the Temple were standing once again; and this must have been the very first occasion of the coming of the Light into the new Temple. This must have been, therefore, the coming of the Light, of "the radiance of Yahweh," upon the very New Year's Day upon which this new Temple, the second Temple, was dedicated, the New Year's Day of 516 B. C. It could have been upon no other occasion and upon no other day, that these prophetic, reassuring, inspiring words were uttered. This much is certain.

This conclusion is fully substantiated by Hag. 1.7-8. In their present position these two vv. are misplaced. They should be transposed to follow immediately upon v. 11 of the same chapter. Moreover, within this chapter v. 13 is either superfluous, and so should be discarded completely, or else, what seems a much more

⁵¹ Cf. Amos 5.18-20; 8.9-10.

proper and justifiable procedure, this v., too, is out of place and should be transposed to follow v. 15 of the same chapter. Thus rearranged, Haggai's first prophetic utterance, delivered, according to v. 1 of this chapter, upon VI/1 of the second year of Darius I, i. e. upon August 29, 520 B. C., consists of 1.2-6, 9-11, 7-8. The theme of this address is this: Because of their indifference to Yahweh's expressed will and their reluctance to make the necessary sacrifices in order to rebuild the Temple, Yahweh has sent upon them an extreme drought, protracted, so it seems, over a number of years. The result has been dearth of food and abundant and bitter suffering. Now let the people consider and amend their ways. Let them ascend the mountain⁵² and bring wood and build the Temple, that "I may find pleasure therein and may reveal Myself in the form of the *כבוד יהוה*."⁵³ Plainly Haggai anticipated the dedication of the new Temple upon a New Year's Day, not too far off, and with the dedication ceremony crowned by the coming of the *כבוד יהוה*. This is, it is plain, precisely the same situation and ceremony as that which is basic to Isa. 60.1-3, 5-7.

This conclusion is abundantly confirmed also by the developing thought of this passage. Israel's condition, now that the Light has come, is contrasted with that of the foreign nations.

For, behold, darkness doth cover the earth,
Yea, utter blackness doth envelop the peoples;
But over thee hath Yahweh risen,
And His radiance hath disclosed itself unto thee.

Just what the prophet meant by the darkness which covered the earth, the utter blackness which enveloped the peoples, is not altogether clear. Perhaps he had in mind the chaotic world-condition which followed upon the death of Cambyses in 523 B. C. and the resultant anarchy which obtained throughout the

⁵² Whether the Temple Mount is meant here, or else the mountain or mountains from which the wood for the new Temple structure is to be brought, is not altogether clear; but more probably the reference is to the Temple Mount.

⁵³ Only this, and naught else, can be the meaning of *וַאֲכַבְדָּהּ* (*Kre*, *ואכבדה*); cf. Lev. 10.3 and "On Leviticus 10.3."

entire Persian Empire until Darius I could establish himself successfully upon the Persian throne and bring order once again into the affairs of his vast empire. As Zech. 1.11 seems to state, this condition was achieved, at least formally, by the early part of 519 B. C. But it requires no stretch of the imagination to believe that even by the end of 516 B. C., three years later, world-conditions were not yet completely normal, and that therefore the prophet could then speak, with reasonable justification, of the darkness which still covered the entire earth and enveloped all the foreign nations. And this condition he could very properly contrast with Israel's happy and propitious state, now that the Temple had been rebuilt, and now that the radiance of Yahweh, the Light, had once again risen upon it, with all its augury of a happy, fortunate, blessed time to come, precisely as Haggai, too, had predicted four years earlier.

Further thought, however, suggests that the darkness here is not so much of political and social, as rather of spiritual, character. It is darkness resulting from the fact that the "radiance of Yahweh," the only source of true light for the entire world, has risen only upon Israel, but not upon the other nations or peoples. They are still enveloped in utter darkness; therefore, if they, too, would live in the Light, the only normal manner of existence, they must seek out Yahweh.

And nations shall come unto thy Light,
Yea, kings unto thy resplendent sunrising.

The nations shall come voluntarily and eagerly, under the very leadership of their kings, not to submit themselves, in a political sense, as vassals and subjects of Israel, for of this thought there is in this address not the slightest intimation; but they shall come to seek the Light, to seek out Yahweh Himself, at the place where alone He is to be found, His sanctuary in Jerusalem, there to render Him their homage, to acknowledge Him as the one supreme God of the universe, the one world-God, to voice His praises and offer their worship unto Him. And the further effect of their coming thither, not stated here but certainly clearly implied, will be that henceforth they too, like Israel, will live in the Light, will live in accordance with Yahweh's

purpose, will and plan for all mankind, will live in His way and conform to His revelation, His doctrine, His תורה.

Then shalt thou behold and become radiant,
And shalt rejoice, and thy heart shall expand.

Beholding this spontaneous and sincere acknowledgement of Yahweh, its God, as the one world-God by all the nations and their kings, and their thronging to His sanctuary in Jerusalem, Israel, in turn, will gain heart; its face will light up and it will rejoice greatly in the triumph and universal recognition of its God, in that He will at last have attained to His true and proper place as the one God of all mankind.

Moreover, the commerce of the sea, of the Mediterranean world, shall be diverted unto it, and the merchandise of the nations, the commodities of all lands, shall flow unto it once again, even as it had been in the golden days of Solomon. Prosperity shall return unto it, such prosperity as it had never known before, even in its happiest and most abundant times. Once again caravans shall pass through the length and breadth of Israel.

Camels in multitude shall cover thee,⁵⁴
The young camels of Midian and Ephah;⁵⁵
All of them coming from Sheba,
Bearing gold and incense.

⁵⁴ This does not mean at all that the land of Israel shall suddenly become a camel-raising country and find in this occupation a source of traffic and economic prosperity. Instead, it means, as the context shows, that the caravans passing through Israel, carrying the products of foreign lands and doing a fruitful and rewarding business with Israel as they pass through the land, will be so vast in number that the land will, as it were, be completely covered over with their camels. It is a vivid picture indeed.

⁵⁵ Ephah was a district, or, perhaps better, a clan or even a group of clans, of Midian; cf. Gen. 25.4; I Chron. 1.33. Manifestly the Midianites were still at this time, at the close of the sixth century B. C., camel-bedouin, just as they had been in the days of the Judges, over six hundred years earlier; cf. Judg. 6.5; 8.26. Equally plainly, the Midianites were the foremost caravaneers of that day, precisely as they are depicted in Gen. 37.28. Their camel-caravans traversed all the important trade-routes of that age, from Sheba and Egypt, at the extreme south and south-west edges of the then known world, to Tyre

The commerce of the Mediterranean, diverted to Israel, meant traffic to and through Tyre, the great Mediterranean seaport of that day. The two verses tell us, in poetic and graphic manner, that once again the great caravans would travel along the ancient Spice Route from Sheba, in southernmost Arabia, bringing their treasures of gold and incense, carrying on their business with Israel as they passed through the land, and then proceeding steadily upon their course to Tyre and the lands beyond.⁵⁶ And upon their return journey southwards they would bring the commodities of the Mediterranean lands, for which they had bartered their gold and incense and the other commodities which they had picked up in the various lands through which they had passed on their way up; and these Mediterranean products they would bring into Israel on their way southwards to their native habitations. Through this abundant commerce Israel would once again become exceedingly prosperous.

And as they journeyed onward from Jerusalem, both northward, to Tyre and the lands beyond, and then southward, through the desert, even to distant Sheba and adjacent lands, they would tell of the greatness of Yahweh, of the magnificence of His new Temple in Jerusalem, of His character as the one, supreme world-God, the God of all nations and of all men, whose salvation, at least so a somewhat earlier prophet had proclaimed, would reach unto the very ends of the earth and would embrace all the nations. These good tidings, this evangel, as indeed it was,⁵⁷ of a new and better age, just dawning, these international

and Damascus and the lands lying far beyond. The majority of these trade-routes passed through the land of Israel, that bridge of international communication and commerce for the entire ancient Near East.

⁵⁶ Cf. "Amos Studies, III," 210-215.

⁵⁷ The verb here used, יבשר, is indeed of more than passing significance. Its fundamental meaning is "to bring good, pleasant, gladdening tidings," tidings of that which is new and which, it is anticipated, will cause those who hear to rejoice (cf. 2 Sam. 4.10; 18.20, 26, 27; 1 Ki. 1.42; 2 Ki. 7.9). The good tidings thus proclaimed frequently concern Yahweh's way, justice (Ps. 40.10), peace (Nah. 2.1), deliverance (Isa. 40.9; 61.1), salvation (Ps. 96.2; 1 Chron. 16.23). So here these caravaneers become the messengers of Yahweh's truth and way of life for men and of His benevolent purpose for all nations and all mankind. And this they do with the intention, conscious or sub-

traffickers, whose business and way of life brought them into close contact with all the nations, even unto the remotest corners of the earth, would proclaim spontaneously and zealously, and thus the knowledge of Yahweh, of His way and of His universal, all-embracing, beneficent purpose, would be disseminated among all the nations of the earth. In this manner, through this evangel, carried by these strange missionaries of Yahweh, the nations would learn of the one avenue of salvation open to them, the one ray of light which might penetrate and dispel their darkness; and learning this, they, too, would be impelled to come up to Jerusalem, there to seek out the God of Israel, who was also their God, the one world-God, and there to offer Him their homage and spontaneous and sincere worship. Thus, in steadily accelerating measure, Yahweh will come to be recognized as what He actually is, the God of Israel indeed, but also and in equal measure the God of all mankind, the one, universal God. In truth these caravaneers would be evangelists of Yahweh and of His religion.

Among those to whom this message would come would be the Kedarenes and the Nabataeans. Formerly typical camel-Beduin, these people were now settled, it is obvious from this and other Biblical references,⁵⁸ in the districts to the east, bordering upon Moab and Edom. There they were living at this time the pastoral life of semi-Bedouin. Their wealth consisted of sheep. And now, brought to the acknowledgment of Yahweh as world-God, they would bring the choice animals of their flocks up to Jerusalem, to offer them there as sacrifices to the world-Deity, whom they, too, now gladly acknowledge and worship and whose favor they seek.

Moreover, the Temple will now become, through the abun-

conscious, of winning these nations and peoples to acknowledge Yahweh as the one world-God and to become His worshipers. Therefore the good tidings which these caravaneers bring is indeed an evangel of conversion, of hope and of salvation, and these caravaneers are themselves missionaries of Yahweh and of His religion. Today Hebrew-speaking Christian missionaries to the Jews frequently speak of themselves as מבשרים and of their message as בשורה.

⁵⁸ Gen. 25.13; Isa. 42.11; Jer. 49.28 f.; Ezek. 27.21; Ps. 120.5; Cant. 1.5; 1 Chron. 1.29.

dance of the voluntary offerings of these foreign nations, even as Haggai, too, had envisaged it just four years earlier,⁵⁹ a magnificent structure, a sanctuary of outstanding beauty, in fact, so the clear implication is, one of, if not actually the, most beautiful and imposing of all sanctuaries in the entire world, one truly worthy of the one, universal world-God and of the homage there of the mightiest nations of the earth. So Yahweh Himself has purposed, and He Himself will bring it about.

Such is the theme of Isa. 60.1-3, 5-7. It gives vivid expression to a universalism which is absolute and unconditioned. It affirms unqualifiedly that Yahweh is the one, all-dominant world-God, who desires and, now that His new and worthily magnificent Temple in Jerusalem is completed and dedicated, is purposed to and will receive and accept the homage and worship of all the nations and peoples of the earth. They may worship Him in the same place and also in the same manner as His people, Israel, without the slightest restriction and with the knowledge that their sacrifices, offered upon the Temple altar, will be in every way pleasing unto Him and give assurance of His favor. Moreover, foreigners themselves, and especially the Midianite caravaneers, whose commercial profession brings them into close contact with the most distant lands and peoples, will carry the fame and sing the praises of Yahweh as the one world-God far and wide and thus will win converts to His worship, or better, to His religion. Thus Judaism, the acknowledgement and worship of Yahweh as the world-God, will become, in the most complete and absolute sense, a universal religion. Such was the confident and exalted vision of this noble prophet of Yahweh at the dedication of the second Temple, upon the New Year's Day, 516 B. C.

When we compare the theme and spirit of this little address with the content of the remainder of the chapter, it is impossible to escape the conclusion that that must be, in all certainty, the work of a different prophetic visionary and of a somewhat different age. Whether or not we agree with Duhamel and Marti, that stylistically and in degree of poetic exaltation this section of the chapter is noticeably inferior to the initial section, which we have just analyzed, we can at least not fail to see that the theme

⁵⁹ Hag. 2.7-9.

of this second section is altogether different from, and in many respects the antithesis of, that of the first section. There the principle underlying the theme was an absolute and positive universalism; here it is a plain and assertive particularistic nationalism. There it is safe to assume that, since the Temple had been rebuilt and was destined to become one of the most magnificent sanctuaries of the entire world and the center of the worship of all the nations, Jerusalem itself, even though at the moment still in a grieved and sorrowful mood, was none the less, physically at least, in a healthy, thriving condition. But in Isa. 60B, as we may now conveniently call the second section of this chapter, Jerusalem has been for some time deserted and forsaken, detested of all men and with not even a passing visitor.⁶⁰ Her walls are destroyed and in need of rebuilding.⁶¹ She has been the helpless victim of bitter oppression.⁶² Her sons and daughters are in captivity, not in Babylonia, but across the waters, i. e., of course, scattered throughout the Mediterranean world, even in far distant lands.⁶³ The situation basic to Isa. 60B is precisely the same as that set forth in Joel 4.2b-8 and Ps. 44.10-15; Israel's children have been sold as slaves, by the Sidonians, Tyrians and Philistines, to the Greeks, and, plainly, in numbers so vast that the price which they brought was incomparably low. Thus they had come to be dispersed as slaves among the nations and peoples of the Mediterranean world.

But now, this prophet predicts, and that, too, in a vivid, vigorous and by no means unworthy manner, these captives are about to be redeemed from their unhappy state, redeemed by Yahweh, their still true and powerful God. They are about to be brought back to their native land and beloved city from across the waters,⁶⁴ and brought back willingly by those very peoples

⁶⁰ V. 15a.

⁶¹ V. 10a.

⁶² V. 14.

⁶³ Vv. 4, 9.

⁶⁴ V. 9. For כִּי־לִי read כָּלִי, "ships" (cf. Isa. 18.2). Also for יָקִוּ read יָקִוּוּ. These two very minor and almost self-evident textual emendations establish effectively the parallelism between the two parts of the double-distich:

The vessels of the Isles are assembled,
With the Tarshish-ships in the van,
To bring thy children from afar,
 (Carrying) their silver and their gold with them.

among whom they are now enslaved, because Yahweh has so decreed. Nay more, foreigners will rebuild the walls of Jerusalem, and their kings will be brought along as captives.⁶⁵ Their former oppressors will come cringingly and abase themselves submissively before restored Israel.⁶⁶ Never again shall Israel experience oppression and destruction in its land, but instead it itself shall, in its turn, exploit the foreign nations; for Yahweh, its God, the Mighty One of Jacob, will have redeemed it.⁶⁷ And now, under Yahweh's sure protection and everlasting favor, the commerce of the world will flow unto it,⁶⁸ but now, not as in 60A, for the glorification of the Temple, but instead for Israel's own material benefit and enrichment.

There is no need to analyze the thought of 60B further. It is self-evident that it is the product of an altogether different age and historical setting than 60A, and voices an altogether different hope and vision. With it the age of absolute universalism is ended completely and forever. In its stead a positive, chauvinistic, particularistic and decidedly vengeful nationalism has set in. Here there is no suggestion whatever of the participation of foreigners, upon a plane of equality with Israel, in the worship of Yahweh, or of the offering of their sacrifices upon the altar of His Temple in Jerusalem. Yahweh is no longer the one world-God in the truest and fullest sense. Yes, His power and dominion extend over the entire earth and control and determine the fate of nations and peoples. But, apparently, their homage and worship He does not demand nor desire, for He is now primarily, and in the narrowest connotation possible, the *קדוש ישראל*, "the Holy One of Israel," Israel's peculiar God, devoted to it alone, the *אביר יעקב* "the Mighty One of Jacob." His favor is for Israel alone; the nations of the world He will subject to Israel, that they may be exploited to the utmost by His people.

Plainly the theme of 60B is the very antithesis of 60A. It comes

⁶⁵ Vv. 10a, 11b. In 11b both the thought and metrical considerations suggest that some such word as *בוקים* (cf. Ps. 149.8; also Isa. 45.14) has been lost at the end of a line (cf. Additional Note B), and must be supplied.

⁶⁶ V. 14a.

⁶⁷ Vv. 16, 18.

⁶⁸ V. 11b.

from a time some sixty years later than the occasion for the utterance of 60A, and following a period when the little Jewish community of Palestine had manifestly undergone a grave national catastrophe, one of the manifestations of which, but only one, was the captivity of a vast multitude of its sons and daughters and their dispersion as slaves throughout the Mediterranean world. As Neh. 1.2-4 evidences convincingly, this unhappy condition of Jerusalem, and with it, of course, of the entire province of Judaea and of the little Jewish community resident therein, was persisting still at the close of 445 B. C., seventy-one years after the dedication of the second Temple. The passage speaks of the Jewish community of Palestine at that time as "the remnant who remained from the captivity." The import of this expression can not be exaggerated. The captivity, here spoken of, can not possibly be the captivity of the Babylonian exile, which began one hundred and forty-one years earlier. During the period immediately following 516 B. C. not only was the Temple rebuilt and dedicated, but also Jerusalem itself must have thrived and become quite populous.⁶⁹ The bitter national catastrophe, with the resultant depopulation of Jerusalem and the sad state of the Jews of Palestine, must have befallen the city and the people after 516 B. C. and, of course, not immediately thereafter. The captivity to which Neh. 1.2-3 refers must have been therefore the capture of a vast number of Israel's children and their sale as slaves to the peoples of the Mediterranean world, of which Joel 4.2b-8 and Ps. 44.10-15 make mention, the very captivity to which Isa. 60B, too, refers, but with joyous assurance of its imminent termination. There is cogent reason for not dating Isa. 60B after 445 B. C. and Nehemiah's return to Jerusalem and the rebuilding of its walls, for, plainly, in Isa. 60.10a Jerusalem's walls are still to be rebuilt. It is impossible, on the other hand, to date Isa. 60B, with its very decided particularistic, nationalistic theory and hope, much, if any, earlier than 458 B. C., the year of the return of Ezra to Jerusalem and of the announcement of his program of chauvinistic, particularistic, isolationist nationalism and

⁶⁹ Cf. "Psalm 48," 23-26.

his utter rejection of the universalistic theology and program of the age immediately preceding. Into this matter we need not go further at this time. Enough has been said to establish with practically complete certainty that Isa. 60B must have been composed and uttered at some moment between 458 and 445 B. C., and probably in the earlier portion of this period, around 456 B. C.

Equally certain is it that Isa. 60A is a prophetic utterance of altogether different date and authorship than 60B.⁷⁰ And the evidence which we have adduced establishes with certainty that it must have been composed and uttered at the dedication of the second Temple, upon the New Year's Day, the day of the autumnal equinox, 516 B. C.

IV

520-516 B. C.

We have thus been able to date these two texts, the one, Isa. 55.1-5, to 520 B. C., and specifically to the last quarter of that year; the other, Isa. 60.1-3, 5-7, to 516 B. C., and specifically to the New Year's Day of that year, the day of the dedication of the second Temple, the day of the fall equinox. Between these two prophetic utterances exactly, or almost exactly, four years

⁷⁰ This analysis of Isa. 60B establishes with certainty that v. 4, the theme of which is the return of Jerusalem's sons and daughters from the distant lands of their captivity, can not possibly belong to 60A, but must be assigned to 60B. Moreover, a moment's thought shows that this v. has been misplaced and should be set between vv. 8 and 9. V. 8 is the introductory statement, which voices the theme of 60B. It asks the rhetorical question:

Who are these who scud along as a cloud,
Even as doves (returning) to their cotes?

(The figure in 8b is most effective. As is well known, doves or pigeons always return to their cotes, even from the greatest distances. In precisely the same way these Jewish captives are returning to their home.) V. 4 begins the answer to this question of v. 8. V. 9 continues the thought of 4b in logical and progressive manner.

elapsed. That they were four momentous years we may be certain. A careful comparison of these two texts and the coordination with them of other texts, which, quite manifestly, come from the same period and bear upon the same events, should aid immeasurably in reconstructing the history of this brief but very significant period.

The rebellion of Zerubabel represents undoubtedly the crystallization of a nationalist movement within the Jewish population of Palestine during the exilic period. Certainly this rebellion did not evolve spontaneously and within a single moment. Probably almost from the moment of the overthrow of the Southern Kingdom in 586 B. C. and the deportation of the royal family, the descendants of David, to Babylon, there had been those among the mass of the people who remained resident in Palestine, who yearned and dreamed and hoped for the recovery of political independence, the restoration of national existence and the return of the dynasty of David to the throne. The report which came to them in 561 B. C., that Amel-Marduk, the young king of Babylonia, had released Jehoiachin, the captive king of Judah, and had set him upon a high throne, no doubt encouraged them in their aspirations. And though the specific hope in Jehoiachin was doomed to disappointment, none the less these Jewish nationalists in Palestine continued to cherish the expectation that in due time, perhaps after the seventy years of which Jeremiah had spoken, a Davidic king might once again sit upon the throne of Judah, with the Babylonian yoke thrown off forever and political independence regained, to endure until the end of time. It was probably in this circle, in this period, and under these circumstances that the tradition of Yahweh's covenant with David had its inception.

The rise of the Persian Empire and its overthrow of the Babylonian Empire merely changed the object of the antagonism of this Jewish nationalist movement, but in no wise altered its character or the range of its ambitions and hopes. If anything, the edict of Cyrus may well have intensified the movement and fanned the hopes of the most ardent nationalists. And when, early in his reign, Darius I appointed Zerubabel, of the family

of David, פַּחַד, Persian governor, of Judah,⁷¹ this nationalistic spark must have burst into flame. The chaotic conditions which obtained throughout the vast Persian Empire during the three years following the death of Cambyzes in 523 B. C. and continuing until Darius I had established himself firmly upon the Persian throne, must have seemed to these ardent nationalists to provide the opportunity so eagerly sought. But apparently at the moment they were leaderless, without a scion of the house of David to head their rebellion and to sit upon the throne of Judah, once political independence should have been regained. However, the coming of Zerubabel seemed to fill that want.

To what extent Zerubabel was an active party to the rebellion or, on the other hand, allowed himself to be drawn into it more or less against his will, we have no way at all of knowing. That he functioned initially as the Persian governor of Judaea, and that he had been appointed to this high office by Darius I, apparently almost immediately upon his accession to the Persian throne, seems fairly certain. The very fact that Darius should have appointed a Jew to this responsible position, and that Jew, too, a member of the family of David, evidences that Darius was well disposed to the Jewish communities of both Babylonia and Judaea, that perhaps he even realized that there was a dissident element in the Jewish community of Palestine, whom, in the probable weakness of his position upon the throne at the very beginning of his reign, he may have thought it well to appease and mollify by appointing one of their own group, a fellow-Jew of highest family rank, to the governorship of the land. But if this was his thought, it is clear that he erred grievously. It may be, too, that Zerubabel endeavored to remain loyal to his Persian sovereign and to the high trust which had been reposed in him. But be that as it may, willingly or unwillingly Zerubabel was drawn into the plans and program of the nationalist party.

The rebellion was short-lived indeed. Still in his final message,

⁷¹ There can be no question that Zerubabel actually filled this high office and that he was appointed to it by Darius I, just as 1 Esdras 4.47-57 affirms. Hag. 1.14; 2.2, 24 speak of him as the פַּחַד יְהוּדָה, and, as contemporary documents, their testimony is unimpeachable.

on IX/24, i. e. December 19, 520 B. C., Haggai addressed Zerubabel as פַּחַת יְהוּדָה. This would seem to indicate that at this time Zerubabel was still functioning publicly in that official position, that he had not yet identified himself with the nationalist party in Judaea, and that the rebellion had therefore not yet begun. Moreover, the very tenor of this address suggests strongly that its main purpose was to persuade Zerubabel to cast in his lot with the rebels by giving him the absolute assurance that this was the will of Yahweh, and that Yahweh had destined him for high things, even for world-empire.

Actually there was nothing at all startling in this prophetic prediction and promise. At this moment the Persian Empire, established by Cyrus, was but nineteen years old. No doubt most of the persons who participated actively in this rebellion, including Zerubabel himself, could remember distinctly how the seemingly unconquerable Babylonian Empire had been overthrown by the Persians under Cyrus. And, as Deutero-Isaiah had proclaimed at that time, this had been achieved only because it was the plan and purpose of Yahweh, the God of Israel, and He had Himself called Cyrus and prospered him and given victory to his arms. Moreover, Deutero-Isaiah had called Cyrus Yahweh's "Anointed One", His chosen king, monarch of all the world. But at the most, so these Jewish nationalists must have persuaded themselves, this could have been only a temporary and preliminary circumstance in Yahweh's mind and purpose; for had He not promised David that His posterity would sit upon the throne and rule forever; for certainly by this time the tradition of the covenant with David had taken definite shape and implanted itself firmly and as a guiding and impelling principle in the mind of every ardent Jewish nationalist of that day. After a very brief existence, a mere interlude in history as it were, Persian world-dominion, which Yahweh had in truth decreed, had plainly come to an end, a tragic end, with the suicide of Cyrus' son, Cambyzes, just three years earlier, so these Jewish nationalists must have reasoned.

Moreover, Deutero-Isaiah had proclaimed that Cyrus, appointed to world-dominion by Yahweh, would return captive Israel to its native land and would rebuild both the city, Jeru-

saalem, and the Temple therein.⁷² The fulfilment of this prediction seemed to have been delayed. But the recent return of Zerubabel from Babylonia, accompanied, so there is every reason to believe, by a relatively large number of Jewish exiles,⁷³ in the high and influential position of פַּחַח יְהוּדָה, Persian governor of the land, and the rehabilitation of Jerusalem, which must have begun immediately upon his arrival, in order to prepare the city to become the seat of residence and administration of this Jewish governor, undoubtedly suggested strongly to these eager nationalists, always ready to be persuaded to anything which accorded with and lent confirmation to their own cherished views and program, that at last the moment was drawing very nigh when Yahweh was about to bring to realization His larger, ultimate purpose. This was, so they reasoned further, the revival of Israel as an independent nation, the reestablishment of the house of David upon its throne, and, in the light of the dominant universalistic thought of the age, the subjection to it of the entire world and all its nations and peoples, in other words, a Jewish world-empire, in succession to the short-lived Persian world-empire, which had been merely the preparation, in Yahweh's plan, for this greater and more inclusive Jewish world-empire, to be ruled over by a Davidic king.

Only one item of Deutero-Isaiah's prediction remained as yet unfulfilled, so it seemed. The Temple was not yet rebuilt. Now let Zerubabel set to work, as his initial project, to perform this task, and it would be clear to all that the moment had come at last when Yahweh's full purpose would be realized in every detail. Just this must have been the chain of thought which filled the minds and hearts of the eager nationalists of that day, and especially of those two nationalistic prophets, Haggai and Zechariah.⁷⁴ To them the program seemed not at all too visionary

⁷² Isa. 44.28; 45.13; cf. 2 Chron. 36.23.

⁷³ Ezra 2.1 ff.; Neh. 7.6 ff.; 12.1 ff.; 1 Esdras 5.7 ff.

⁷⁴ This consideration makes clear the full import of the reply of the still non- or perhaps even anti-nationalistically minded section of the Jewish community of Palestine to Haggai's initial plea to set to work to rebuild the Temple (Hag. 1.2), that the time had not yet come for the Temple to be rebuilt, i. e. the appointed or destined moment heralded by Deutero-Isaiah (44.28).

and remote. They could remember easily when the Persians had been little more than an insignificant, almost unheard of, semi-sedentary people. Through Yahweh's support, so Deutero-Isaiah had affirmed, they had risen to their present exalted position as the head of the great world-empire. What Yahweh had wrought for them He could certainly do again and more readily and easily for His own people, Israel, and for the Davidic king and dynasty which He had appointed to rule, not only over it, but over the entire world, "from the Mediterranean to the Persian Gulf, and from the Euphrates to the ends of the earth," and that, too, not for a brief moment, as with the Persian Empire, but forever.

We can therefore understand very easily the full import of Haggai's final message, addressed directly to Zerubabel, on IX/24 of 520 B. C.

I am about to shake the heavens and the earth,
 And I shall overturn royal thrones,
 And I shall destroy the strength of the foreign kingdoms.
 Yea, chariots and their occupants will I overturn,
 And horses and their riders shall tumble,
 Each by the sword of the other.
 Upon that day, the decree of Yahweh of Hosts,
 Will I take thee, O Zerubabel, son of Shealtiel, My servant,
 And I will set thee as (My)seal-ring, for thee have I chosen.

As Olmstead has suggested,⁷⁵ this reference to the seal-ring is meaningful indeed. By this statement Haggai gives assurance to Zerubabel and to all his hearers that the decree of Yahweh against Jehoiachin, his ancestor, king of Judah, that even though he was the seal-ring upon Yahweh's right hand, He would tear him from there and cast him into exile,⁷⁶ had been reversed, and

Plainly at the time when Haggai uttered these words, at the beginning of the sixth month of 520 B. C., a considerable portion of the Jewish community of Palestine was not at all inclined towards nationalism but was, for various reasons, perfectly content to continue in the status quo, as a province of the Persian Empire.

⁷⁵ *History of Palestine and Syria*, 563 f.

⁷⁶ Jer. 22.24 f. It may be remarked in passing that this passage and indeed the entire course of events in Judah from 597 to 586 B. C. give further

that Yahweh had indeed chosen him and destined him for great things, even for the overthrow of the Persian Empire⁷⁷ and the establishment of a new, Jewish world-empire, with himself, the descendant of David, as its initial world-lord.

Apparently Zerubabel let himself be persuaded, though perhaps somewhat reluctantly, for, as Zech. 4.9 states, Zerubabel did actually participate, and even take the lead, in laying the foundation of the new Temple; and, as Zech. 8.9 ff. establishes clearly,⁷⁸ this all-important event happened upon IX/24, 520 B. C., the very day upon which Haggai delivered his message to Zerubabel.

The rebellion was short-lived indeed. As Zech. 1.7-15 seems to indicate, by XI/24 of the same year, i. e. exactly two months

and unmistakable evidence that the tradition of Yahweh's covenant with David was not current at that time, and that it could hardly have been conceived and found its initial formulation before the period of the Babylonian exile. For had this tradition been current during that most unhappy time, the sad fate of Jehoahaz, Jehoiakim, Jehoiachin and Zedekiah and the circumstances which befell the Judaeen Kingdom then and in the early years of the exilic period would certainly have convinced the people that this tradition had no validity whatever, and would, with reasonable certainty, have brought about its repudiation forever. The occasion which gave rise to this tradition may very well have been, as we have already suggested, the release of Jehoiachin from prison by the Babylonian king, Amel-Marduk, in 561 B. C. The high hopes which this event engendered in the minds of the Jewish nationalists may very well have given rise to just such a tradition and doctrine as this.

⁷⁷ In view of the fact that, as Hag. 2.21b-22a now stands, it must be arranged metrically as a 4/3/4 tristich, and since such a metrical arrangement, with a 3-beat stichos intervening between and disturbing the uniformity of the two remaining 4-beat stichoi, seems contrary to the principles of Hebrew metrics, and since, moreover, *G* and *Syr.* *Hex* read מלכים instead of ממלכות, and since, finally, the sing., כסא, in the construct relationship with the plu., ממלכות, would be somewhat confusing and surprising, it is tempting to supply either the sing., מלך, or the plu., מלכי, before ממלכות, and thus restore the expected 4/4/4/ tristich, and perhaps with this to emend to הממלכות, and to interpret the resultant הממלכות (מלכי) מלך כסא, "the throne of the king (of the kings) of the kingdoms" as referring specifically to the Persian world-empire.

⁷⁸ Cf. "The Chanukkah Festival and the Calendar of Ancient Israel," I, 9 ff. Note that Zech. 8.9 speaks of "the prophets" quite as if not merely Haggai, but also at least one other prophet as well, had voiced these thoughts.

to the day after Zerubabel had been persuaded to lay the foundation-stone of the Temple, all was over. The disorder and tumult, which must necessarily have attended the rebellion, were quelled. The entire earth, and with it certainly the little land of Palestine, were quiet once again. What happened to Zerubabel, and likewise to Haggai the prophet, we do not know. The hopes of the nationalists were defeated and subdued, at least for the moment. But they were not crushed, nor was the nationalist movement ended. Superficially it seemed to have subsided; actually it went underground for the time, only, however, to come out into the open once again some thirty-four years later, when the death of Darius I and the temporary disorganization of the Persian Empire, attendant upon the accession of Xerxes to the throne, seemed to give to these eager nationalists the golden opportunity for which they had waited so long. Into this matter, however, we may not enter here.

Upon Zechariah, too, a deep grief settled, as is best evidenced by his pathetic plea to the Deity, in his prophetic utterance upon XI/24, immediately after the collapse of the revolution, upon which he had pinned his highest hopes: O Yahweh of Hosts, how long wilt Thou not show pity to Jerusalem and the towns of Judah, against whom Thou hast raged these seventy years! But his anguish was only for the moment. As the immediately following vv. indicate clearly, he quickly found comfort and reassurance in the prophetic message, which came to him in his reaction to his grief-stricken plea, that Yahweh had not forgotten Jerusalem, that, in fact, He was exceedingly jealous for it. He had intended only to discipline, but not at all to destroy, it, but the ruthless foreign nations had far exceeded Yahweh's purpose in this respect. But now the period of discipline and suffering is ended; now Jerusalem shall once again become the object of Yahweh's favor; the Temple shall be rebuilt and the city repopulated and teem with life; once again Yahweh will choose Jerusalem.

And indeed this prophetic vision of Zechariah was speedily fulfilled. With the withdrawal of the nationalistic party into hiding and seeming inactivity, the religious party, those who stressed above all else the rebuilding of the Temple and the

restoration of the ancient ritual, became dominant. The Persians seem to have conducted themselves with statesmanlike restraint during the critical period immediately following the collapse of the rebellion. They realized most probably that the rebellion had been fostered only by a section, and in all likelihood the numerically smaller section, of the people, the younger, more impetuous, nationalistic zealots, eager for speedy results from violent, militaristic action. Now that these had been subdued and their activities and propaganda terminated, at least so it seemed, and the older, more patient and submissive group, intent more upon religious than political matters, were in control, the Persians seem to have regarded it as expedient to deal considerately and mildly with the rebellious people. They remembered that both Haggai and Zechariah had urged above all else the rebuilding of the Temple. Therefore they argued, quite naturally, that if the restoration of the Temple and its cult would satisfy the Jewish people and keep them quiet and submissive, and, in particular, would forestall any future impulse towards rebellion and attempt to regain political independence, then by all means let them have their beloved Temple and cult. It would be a very small price to pay for the assurance of political stability and quietude. Moreover, religious tolerance towards all the peoples who constituted their vast empire was the established policy of the Persian government. Therefore let the Temple be built as quickly as possible, even, if necessary, with Persian approval and material support.

And so the rebuilding of the Temple proceeded apace, hardly even, so it seems, with any significant interruption resulting from the short-lived rebellion. The building activities, inaugurated by Zerubabel with the laying of the foundation-stone, were resumed almost immediately after the rebellion had been quelled. Apparently this satisfied Zechariah completely; for now the entire tenor of his prophetic message changed. Zerubabel and the rebellion, and even the nationalistic principles underlying this entire movement, were quickly set aside and forgotten. The rebuilding of the Temple, the restoration of the cult, the repopulation of Jerusalem and the renewal of its former prestige and glory now became the dominant theme of Zechariah's utterances. They

were animated by an exalted hope, faith and joy. When once the Temple should be completed and dedicated and the worship of Yahweh therein become normal, as it had been of yore, then all would surely be well with Israel once again; then Yahweh's favor to it would be assured, and then the present dearth and want, resulting from the protracted drouth, would come to an end and a period of plenty and prosperity would set in, even as the prophets who had immediately preceded him had promised.⁷⁹ These prophets must have been, at least, Haggai⁸⁰ and the author of Isa. 55.1-5.

The only actual event of this period of which we have positive record and clear understanding is the deputation which came up to Jerusalem on IX/24, 518 B. C.,⁸¹ to secure from the priests functioning there an oracular decision as to whether, now that the reconstruction of the Temple had advanced sufficiently for its eventual completion to be assured, the fast upon V/9 which, regardless of its actual origin,⁸² had come in popular observance to commemorate the destruction of the first Temple in 586 B. C., almost seventy years earlier, need and should continue to be observed. The answer to this question, spoken in the name of Yahweh, was given to the deputation and to all the multitude who had assembled at the Temple site for the celebration of the fast day upon IX/24, not by the priests, but by Zechariah, the prophet. Not only the fast upon V/9, but also the fasts in the fourth, the seventh and the tenth months should be discontinued, apparently because the conditions which had called them forth no longer obtained; the erection of the Temple and the new situation resulting from this had rendered the fasting upon these four days meaningless.

All four of these fasts had come, regardless of their origins, to be linked with incidents of the siege and fall of Jerusalem and

⁷⁹ Zech. 8.9-15; cf. "The Chanukkah Festival and the Calendar of Ancient Israel," I, 11-17.

⁸⁰ Cf. Hag. 2.15-20.

⁸¹ Zech. 7.1-7; 8.18-19. For the precise dating of this event and the full import thereof cf. "The Chanukkah Festival and the Calendar of Ancient Israel," I, 11-17.

⁸² Cf. "Two Ancient Israelite Agricultural Festivals," 43-46.

of the end of the Southern Kingdom and of the removal from the throne thereof of the dynasty of David.⁸³ The clear implication is that the erection of the new Temple and its closely impending completion and dedication terminated and completely erased all the effects of these catastrophic incidents. Accordingly there was no longer any logical reason for their observance; therefore let these four fasts be discontinued. It is readily apparent that this decision was altogether anti-nationalistic in character. The restoration of the Temple and its cult seemed to satisfy completely the hopes and yearnings, not only of Zechariah, the prophet, but also of the people at large, or at least of that party which was now in control.

This is evidenced by Zechariah's procedure in connection with the dedication of the Temple. The majority of the visions, which constitute the greater part of that portion of the book which goes by his name and which must be ascribed to him, deal with this particular event. In 6.1-9 he beholds the four winds coming forth from the presence of Yahweh, behind the two copper mountains on the eastern horizon of the earth. We know of these two copper mountains from Babylonian sources. Upon Babylonian reliefs⁸⁴ we see Shamash, the sun-god stepping forth from between the two mountains, to set out upon his daily circuit through the heavens. Here, then, Yahweh is manifestly depicted as a solar deity, precisely as in the first Temple, erected by Solomon. Plainly the cult of the first Temple, with its strongly solar character, is being revived, in considerable measure, in the second Temple. The conclusion of this vision seems to have been replaced by the totally unrelated section, 6.9-15,

⁸³ The fast in the fourth month commemorated the breaching of the walls (2 Ki. 25.2 f.; Jer. 39.2; 52.6); that in the fifth month the burning of the city and the Temple, the destruction of the walls and the flight of the royal household (2 Ki. 25.8; Jer. 52.12); that in the seventh month the murder of Gedaliah (Jer. 41.1 ff.; cf. "Two Ancient Israelite Agricultural Festivals," 43-46); and that in the tenth month the beginning of the siege of Jerusalem by the Babylonians (2 Ki. 25.1; Jer. 39.1; 52.4).

⁸⁴ Cf. Jastrow, *Bildermappe zur Religion Babyloniens und Assyriens*, nos. 170-171; Gressmann, *Altorientalische Bilder zum Alten Testament*, nos. 319-321.

the major portion of which comes from the initial period of Zechariah's prophetic ministry and deals with the rebellion of Zerubabel. But this missing conclusion must have told of the coming of Yahweh, in the radiant form of the כבוד יהוה, from the east⁸⁵ upon the day of the fall equinox, still observed in the second Temple as the New Year's Day,⁸⁶ and therefore the proper day for the dedication of the new Temple⁸⁷ with all the attendant cultic traditions and rites. A moment's thought suggests that, since in it Yahweh has not yet forsaken His place behind the two copper mountains, this vision is out of place where it stands now; for unquestionably it is, in logical sequence, the first in the series of visions within the book which deal with this New Year's Day and with the dedication of the second Temple thereon and the entrance of Yahweh therein. It must have stood therefore originally first in the record of these visions.

In 3.1-8a we have the second vision in the series, that of Yahweh's procedure immediately after His entrance into the Temple. He sits enthroned, surrounded by His attendant divine court,⁸⁸ holding judgment, with Satan, one of the members of this divine court,⁸⁹ functioning as accuser. Joshua, the priest, is on trial. Despite the charges brought against him by Satan, he is vindicated, and is appointed by the Deity to the office of chief priest of the new sanctuary. This entire vision in all its details, Yahweh, sitting enthroned in the Temple, surrounded by His heavenly host, holding court, and Satan acting as prosecutor, evidences convincingly that this day of the dedication of the new Temple and of the installation of Joshua as its chief priest was the New Year's Day.

4.1-6aa, 10b-14 tells next of the kindling of the Menorah, the golden, seven-branched candelabrum, which stood close to

⁸⁵ Cf. Ezek. 43.1-4; 44.4.

⁸⁶ Cf. "The Chanukkah Festival and the Calendar of Ancient Israel," II, 453-455.

⁸⁷ Cf. "The Three Calendars of Ancient Israel," 36-58.

⁸⁸ Cf. "The Mythological Background of Psalm 82," 51 f.

⁸⁹ *Ibid.*, 40 ff.

the *d'bir*, and by its light symbolized the presence of the Deity within the sanctuary,⁹⁰ and also of the installation of the chief priest and his associate priest.⁹¹ These, too, are characteristic rites of dedication, properly celebrated upon the New Year's Day.

5.1-11 describes the purification of the new Temple, naturally one of the integral rites of the dedication ceremonial. It is purged of all defiling sin. Sin is here represented as being of two categories, the one depicted by the flying scroll, the other by the woman in the covered vessel. The flying scroll symbolizes such sins as theft and false testimony, in short, sins committed by men against fellowmen. The consequences of such sins, it is clearly stated, are visited directly upon the sinner. The woman in the covered vessel typifies sin of an altogether different category, the character of which is not here defined, but which is subsumed under the generic name, רשעה, "iniquity." However, we can easily determine what category of sin this is. In Mishna Yoma, VIII, 9 we read, "For sins which are committed by man against God the Day of Atonement brings forgiveness; for sins which are committed by man against fellowman the Day of Atonement does not bring forgiveness until he has first placated his neighbor." This distinction between these two categories of sin is plainly implicit here, and so must be at least as old in Jewish thinking and religious practice as the time of Zechariah. And since the flying scroll symbolizes the second category of sin of the Mishna, that for which, precisely as Zech. 5.4 states, the Day of Atonement does not bring forgiveness automatically, it follows that the woman in the covered vessel must symbolize that category of sins which are committed by man against God.

This conclusion is confirmed by the procedure with the woman and the vessel in which she is enclosed. They are carried away and deposited in a far distant land, and so are prevented from working their defiling influence further in the land of Israel and in the Temple. This is precisely the same principle and procedure as with the goat of Azaz'el, in the ritual of the Day of Atonement,

⁹⁰ Cf. "The Book of the Covenant," I, 73, note 85.

⁹¹ Cf. "A Chapter in the History of the High-Priesthood," 13-24.

in Lev. 16.20-22. It, too, laden, in symbolic, semi-concrete manner, with the sins of Israel, is led out into the desert, into a waste land, far from the habitations of man, and there is left to perish, so that the sins, of which it is the bearer, may no longer defile. This distinction in Zech. 5 between these two categories of sin and the procedure with the symbol of the one category, evidences conclusively that we are dealing here with something very closely akin to the Day of Atonement rite of the scapegoat.

Moreover, we know that the Day of Atonement developed, at some time in the first half of the fourth century B. C., out of the now discarded New Year's Day of the ancient solar calendar upon VII/10, the day of the fall equinox of that calendar.⁹² We know also that VII/10 continued to be observed as the New Year's Day until the time of Ezra,⁹³ and that therefore it must have been so observed at the time of Zechariah and of the dedication of the second Temple, almost sixty years before Ezra's return from Babylonia. There can accordingly be no question that the ritual procedure which was basic to the vision of the prophet, recorded in Zech. 5, was integrally related to the celebration of the New Year's Day upon VII/10. This is further and definitive evidence both that the second Temple was dedicated upon the New Year's day, VII/10, of 516 B. C., and also that upon this occasion Zechariah was so deeply stirred at thus beholding his long-cherished hopes realized so completely, that he was thrown into an ecstatic or semi-ecstatic state, in which he beheld a series of visions which symbolically represented all the successive stages of the dedication ritual.

Of these visions the one dealing with the installation of Joshua as chief priest is of particular significance, and this for various reasons, only one of which, however, we need consider at this time. I have dealt in complete detail with this vision and its far-reaching implications elsewhere,⁹⁴ and so need not repeat

⁹² Cf. "The Three Calendars of Ancient Israel," 45-48, 77; "Supplementary Studies in the Calendars of Ancient Israel," 74, 80, 106, note 166, 146.

⁹³ "The Three Calendars of Ancient Israel," 28-35; "Supplementary Studies in the Calendars of Ancient Israel," 56 f., 63 ff.; "The Chanukkah Festival and the Calendar of Ancient Israel," II, 447-457.

⁹⁴ "A Chapter in the History of the High-Priesthood," 27-34.

here all that has been presented there. Suffice it to state that upon this occasion of the dedication of the second Temple Joshua was inducted into the office, no longer merely of chief priest, כהן ראש, of the new Temple, but instead into the far higher and more significant office of הכהן המשיח, "the anointed priest," הכהן הגדול מאהיו, "the priest who was the greatest of his brethren." As I showed there, the anointing of Joshua and his induction thus into his sacred office implied certainly that the kingship of Judah, the reign of a descendant of David over the Israelite nation, had come to an end, that, even more, Israel, as a nation, had ceased completely to exist, that the Jewish people, as a religious theocracy, the head or ruler of which was Yahweh Himself, and whose earthly representative was the "anointed priest," had succeeded it.

Undoubtedly this significant development was in part the natural reaction to the failure of the Zerubabel rebellion and to the bitter disappointment of a considerable section of the people thereat. But to a far greater degree this development must have reflected the purposes and program of the larger section of the little Jewish community of Palestine, now in power, and their strong antagonism to the theory and program of Jewish nationalism. That at this time the little Jewish community of Judaea was divided into these two parties need not surprise us in the least. On the contrary, the opposite condition would have been surprising, for it would have run totally counter to main trends in Jewish history.

Consciously or unconsciously these anti-nationalists thought and operated to a considerable extent in the spirit and after the teaching of Deutero-Isaiah. They desired no restoration of Jewish political independence nor return of the dynasty of David to the throne of Judah. They were content to remain a part of the Persian Empire and to acknowledge Darius as their monarch. They desired only religious freedom, the restoration of the Temple and the cult, and to live in conformity with the practice of Judaism as it was current at this time. All this the Persian administration was ready to grant, and even to assist with material support in the rebuilding of the Temple; for this policy offered a maximum assurance of a peaceful, undisturbed

government of the province in the interest of the Persian Empire. Obviously therefore it accorded perfectly with Persian policy that the Jewish community of Palestine should now relinquish, at least so it seemed, all aspiration for political independence and national restoration, and should transform itself into a theocracy, which conceived of Yahweh as its sole and true ruler, and of the "anointed priest" as His earthly vice-gerent.⁹⁵

But this transformation of the people of Israel into a theocracy, a religious community, the קהל יהוה, "the congregation or community of Yahweh," as it now began to call itself, had one far-reaching implication and effect. To become a member of this קהל יהוה it was no longer necessary to belong to the Jewish nation, to be born into membership therein, as it were. The only essential requirement for membership in this "congregation of Yahweh" was to acknowledge Yahweh as the one and only true world-God, to render unto Him alone all homage, and to endeavor earnestly to know His way and live in accordance with His revelation, His doctrine of life, His Torah. Whoever was willing to do this, whether of Jewish or non-Jewish birth, was a worthy member of the "congregation of Yahweh." Not only Jews by birth, but non-Jews as well, provided only that they were ready to abjure their former gods and accept Yahweh as the world-God, and therefore as their God and the God of their people, accept Him in the full meaning of the term, were fully qualified to enter into the קהל יהוה and share in all its obligations and responsibilities, but also in all its privileges and compensations.

With this the stage was set completely for the first religious conversionist movement in human history. For it is self-evident that there could be no actual proselytism until (1) the bounds of nationalistic religion had been transcended completely, (2) until a truly universalistic religion had been conceived and proclaimed,

⁹⁵ It is to this period and this theological environment that we must assign such passages as Judg. 8.23b; 1 Sam. 8.4-21, which interpret the desire of the Israelite people for a king, after the pattern of all the other nations, as tantamount to rejection of and rebellion against Yahweh, their true King. During the entire pre-exilic period, so long as the kingdom was in actual existence, such a concept, even in prophetic thought, would have been totally impossible.

a universalistic religion which would have something exceedingly attractive to offer to the adherents of other religions, and which might win them with this to its new fellowship, and, (3) finally, until the indispensable, concrete steps had been taken that would carry this new, universalistic religion beyond the range of theory and philosophical speculation, into the realm of the real, the practical and the actual.

Twenty-three years before the dedication of the second Temple Deutero-Isaiah had propounded the theory and principles of universalistic religion. He had proclaimed that Yahweh, the God of Israel, was the one, true, universal world-God, whose plan and purpose, from the very beginning of His creation of the universe, embraced all mankind. He had created this earth, not idly nor for naught, but to be inhabited by men, by men who, in order to live together, must necessarily live in unity and peace. To all the nations of the world he had proclaimed, at the climax of a period of world-chaos and world-conquest, a period in which the weakness and impotence of all the other gods to protect and save their own peoples had been demonstrated over and over again, that Yahweh, the world-God, alone could offer that salvation for which they were seeking so desperately. And he had climaxed his stirring declaration of this principle with the enheartening words, spoken in the name of Yahweh unto all peoples, "Turn unto Me and find salvation, all ye ends of the earth; for I am God, and there is none other!"⁹⁶

But at that time it was too early to translate this principle into reality. Three preliminary procedures had to be carried through first; (1) Israel, captive in Babylonia, had to be restored to its native land; for so long as Israel remained in captivity, unable to return to its homeland, as Ezekiel put it,⁹⁷ what would the foreign nations think of Yahweh; only that He was a god so futile and impotent, that He could not even protect His own people and maintain them in security upon their native soil; therefore only their restoration to the land of their fathers could convince the nations that Yahweh was indeed a God of power,

⁹⁶ Isa. 45.22.

⁹⁷ Ezek. 36.16-28; cf. "Moses with the Shining Face," 18-20

whose authority reached out into lands other than His own, and who could protect and save His people and redeem them from all conquest and oppression, that in all truth therefore He merited their recognition and their homage. Cyrus' edict in 538 B. C. had, in principle, given confirmation to this startling proclamation of Deutero-Isaiah; but it was only the return of a body of these exiles under Zerubabel, which finally, some fifteen years or more later, gave to it reality and conviction for Jew and non-Jew alike.

And (2) a god, to have reality, must be worshiped; and to be worshiped, he must have a sanctuary worthy of himself, to which his adherents might come and where they might offer unto him their worship and their sacrifices. But not until 516 B.C. did Yahweh, whom Deutero-Isaiah had proclaimed as the one world-God, have His own sanctuary, a sanctuary worthy of Him in every way, a proper sanctuary of the one world-God, a sanctuary which, in theory at least, was, or at least was destined to become, the most glorious sanctuary in all the world.

And, finally, (3) that He might be recognized and worshiped by other, and, in principle, by all, peoples, this one world-God might no longer be regarded merely as a national god, the god primarily of one nation or people, whether large or small, strong or weak. He must be in very truth a world-God, the God who might be approached and worshiped freely and without restriction by all peoples; in no sense might He be merely a national god and naught else. Therefore not until the Jewish community of Palestine had formally declared itself to be no longer a nation, a political entity, and had formally abjured all aspirations for renewed political independence and existence and all desire to have a king of its own ancient royal line rule over it once again; not until it had officially declared itself to be a religious community, the "congregation of Yahweh," a theocracy, whose only ruler was Yahweh, the universal God Himself, and whose true representative on earth was the "anointed priest," inducted into his sacred office by that very rite by which the king had in pre-exilic times been confirmed as the one divinely chosen for his high position; not until then, it is self-evident, could a true proselyte movement begin. For, though proselytes could not

be incorporated into the nation, as the nation was conceived of at that time, into a religious community, into "the congregation of Yahweh," they could be admitted fully, readily and in very simple manner, by their mere self-declaration that they were devotees of Yahweh, the world-God, and that they desired spontaneously and eagerly to attach themselves to Him, to share in His worship and to live the life which He had ordained, and thus to have a part in that salvation which the prophet had promised unto all those who would of their own accord turn unto Yahweh.

Now, at last, in 516 B. C., with the dedication of the second Temple and the induction of Joshua into the office of "anointed priest," all three conditions were fulfilled and the time was ripe for a proselyte movement to Judaism, the first proselyte movement, in the true sense of the word, in all human history. Therefore it is not at all surprising that in his exhilaration and ecstasy at the dedication of the Temple, on this great New Year's Day, which must have seemed to him, as well as to many of his exultant fellow-Jews, to inaugurate a new era in the life, not only of the Jewish people, but also of the entire world, Zechariah should have heralded the good tidings:⁹⁸ Thus saith Yahweh of Hosts: It shall yet be that peoples and the inhabitants of many cities⁹⁹ shall come; and the population of one city shall go to another¹⁰⁰ with the words: Let us go together to supplicate Yahweh, even to seek out Yahweh of Hosts let me go too. And many peoples shall come, and mighty nations, to seek out

⁹⁸ Zech. 8.20-22; cf. 2.15a (probably an interpolation there, no doubt from a later period of the prophet's ministry). 8.23, which, in significant contrast with vv. 20-22, envisages the proselytism of individuals rather than of entire nations or peoples, and which otherwise duplicates the thought of vv. 20-22, is probably not from Zechariah, but is rather the product of an age some sixty years later, by which time the principle of individualism had become well established, not only in Jewish thought and doctrine, but also in Jewish ritual practice as well. This passage reaffirms the thought of Isa. 56.3-8 and undoubtedly comes from the same period as that prophetic utterance; cf. below, p. 423.

⁹⁹ The prophet is undoubtedly thinking here of independent city-states as political or ethnic units.

¹⁰⁰ Supply עיר before the first אחת and for the second and very awkward אחת read with V אחת.

Yahweh of Hosts in Jerusalem and to supplicate Yahweh. With these words the prophet was indeed heralding a proselyte movement to Judaism.

In this he was by no means alone. For Mic. 4.1-4 (= Isa. 2.2-4) voices precisely the same message, though in far loftier language and, seemingly, with more ecstatic vision:

And upon the very last day¹⁰¹ it shall be that
 The mountain of Yahweh's house will be established as
 the topmost of the mountains,¹⁰²
 And exalted above the hills; and peoples will stream
 unto it;
 And many nations will go and say: Come and let us go
 up to the mountain of Yahweh, even unto the
 house of the God of Jacob,
 That He may teach us of His ways and we may walk in
 His paths;
 For from Zion will revelation go forth, even the word of
 Yahweh from Jerusalem.
 And He will judge between many peoples, and will
 reprove mighty nations,¹⁰³
 So that they will beat their swords into plowshares and
 their spears into pruning-hooks;
 Nation will not take up sword against nation, nor will
 they learn war any more,
 But they will dwell, each man, under his own vine and
 under his own fig-tree, with none to make them
 afraid;
 For the mouth of Yahweh of Hosts hath ordained.

The first and most natural impulse is to assign this passage to a fairly late date in the post-exilic period, because of the unmistakable eschatological character of its opening sentence. That the picture there unfolded is eschatological can not be

¹⁰¹ For this interpretation of אחרית הימים cf. Amos 4.3, ואחריתכן, "even the very last one of you."

¹⁰² For the full meaning of this statement cf. "Psalm 48," 47-87.

¹⁰³ Omit, with Isa. 2.4 and for the sake of the meter, עדי-רחוק as a marginal gloss.

denied. However, there is no compulsion to believe that Jewish eschatological thought and speculation can have begun only in the late post-exilic period. We have already suggested that the dedication of the second Temple was thought, at least by some, to inaugurate a new era in the life, not only of Israel, but also of all mankind. Just this, and no more, may very well be the implication of the opening sentence of this passage. The last day here need not mean at all the last day of the existence of this world, immediately preceding the great, divine judgment and the resurrection, as it did come eventually to signify in Jewish thought. Instead it could well be the last day of the present, unhappy era, of war, disorder and chaos, the era which the dedication of this new Temple and all the circumstances attendant thereupon was to bring to a close. And the new era here depicted could well be that new era which the new Temple was expected to usher in, and about which it was, under God's universal plan, to center. There is considerable biblical evidence to support this interpretation of this verse and this passage.¹⁰⁴

But be this as it may, internal evidence establishes beyond

¹⁰⁴ The picture of the complete cessation of warfare and resultant universal peace, here painted so graphically, was actually implicit in, and its expression here is the direct outgrowth of, Deutero-Isaiah's doctrine of Yahweh's salvation of all nations and all mankind. Lack of time and space forbid further development of this thought here. But that this passage is directly dependent upon the message of Deutero-Isaiah and could not have been composed much later than his time is almost self-evident. Moreover, this picture of the cessation of all warfare throughout the world acquires redoubled vividness and force if we understand that it was composed very soon after the period of world-chaos, from 523 B. C. to the end of 520 B. C., following upon the death of Cambyses and the attendant struggle for the preservation of the Persian Empire and for accession to its throne.

Moreover, the manifest quotation of Micah 4.3b in Joel 4.10a, though in reverse, establishes with certainty that this passage may not be assigned to too late a moment in the post-exilic period. Gray (*International Critical Commentary*) would date the passage at slightly earlier than 520 B. C. But the very considerations which impel him to this decision should rather incline him to assign it to a date slightly later than 520 B. C. Marti and Toy prefer a date about 500 B. C. But for reasons stated in our discussion of the passage, this date seems a trifle too late. All considerations point strongly to a date between 520 and 500 B. C., and specifically to the moment of the dedication of the second Temple on the New Year's Day of 516 B. C.

all question, that this passage can not possibly come from a period much later than the dedication of the second Temple in 516 B. C. The basic hypothesis here, that foreign nations might unrestrainedly come up to Jerusalem, there to participate fully and actively in the worship of Yahweh as the one universal world-God, could not possibly have found expression in the period following the return of Ezra in 458 B. C. and the inauguration of his program of nationalistic particularism and isolationism. So extreme and absolute was this program that, as Ezra 10.3 states positively, not only all foreign wives whom Jewish husbands, members of the little Jewish community of Palestine, the "congregation of Yahweh," had married, but also their children, the offspring of these marriages, and therefore racially half-Jews, were to be expelled from membership in the community. As Neh. 13.23-28 states plainly, these foreign wives had been recruited very largely from the neighboring nations, "the peoples of the land," as Ezra 10.2 calls them, and especially from the Philistines or Ashdodites, the Moabites and Ammonites. Ezra's charge that these foreign wives should be dealt with "according to the Torah" certainly contemplates Deut. 23.3-4, which legislates that not even unto the tenth generation, i. e. not ever, as the gloss to Deut. 23.4 states explicitly, should Philistines,¹⁰⁵ Ammonites or Moabites be admitted into the "congregation of Yahweh." In fact Neh. 13.1 affirms positively that this very legislation in Deut. 23.4 was the authority for the expulsion of these foreign women.

There is abundant and cogent evidence that the legislation in Deut. 23.3-4 could have been formulated only after the great catastrophe which befell the Jewish community of Palestine in 485 B. C., largely at the hands of these three nations, plus the

¹⁰⁵ מִצְרַיִם in Deut. 23.3 certainly implies the Philistines; cf. Zech. 9.6; also Neh. 13.23, where the Ashdodites (note that Zech. 9.6 speaks specifically of the Ashdodites as a bastard population), Ammonites and Moabites are linked together precisely as in Deut. 23.3-4, as the three peoples with whom intermarriage was being practiced in Nehemiah's day, in plain defiance of the legislation of the Torah. Did not מִצְרַיִם in Deut. 23.3 refer specifically to the Philistines, the total absence of any legislation here forbidding intermarriage with Philistines would be almost inexplicable.

Edomites. Into this important matter we may not enter here, for it would lead very far afield.¹⁰⁶ Likewise Ezek. 44.6-14, which denounces the Levitical priests, who had been the officiating priests in the second Temple,¹⁰⁷ for permitting foreigners, "uncircumcised of heart and uncircumcised of flesh," to enter the sanctuary and offer their sacrifices upon the altar there to Yahweh, the God of Israel, must come from the period of Ezra,¹⁰⁸ and perhaps even from Ezra himself and his school. It evidences conclusively that during the period of the second Temple, i. e. 516-485 B. C., there had been a real and substantial proselyte movement to Judaism, a movement which had been attended undoubtedly by intermarriage between Jews and proselytes, and, not improbably nor at all unnaturally, also by intermarriage between Jews and non-converted foreigners. This proselyte movement to Judaism, it is clear, Ezek. 44.6-9 seeks to terminate completely and forever.¹⁰⁹ Equally clear it is that

¹⁰⁶ Cf., however, Lam. 1.10. That the Book of Lamentations deals with the destruction of Jerusalem and the Temple in 485 B. C., at the hands of the Edomites, Moabites, Ammonites, Philistines and other neighboring and hostile peoples, I hope to demonstrate in the study referred to in note 30. Meanwhile cf. Lam. 4.21-22; also with Lam. 4.20 cf. Ps. 89.39-47, 50-52; cf. above, p. 379 ff.

¹⁰⁷ Cf. above, p. 380, note 31.

¹⁰⁸ Cf. Hölscher, *Hesekiel, Der Dichter und das Buch*, BZAW, 39, pp. 31-34, 189-212.

¹⁰⁹ The distinction apparently drawn in Ezek. 44.9 between two distinct categories of proselytes, "foreigners uncircumcised of heart and uncircumcised of flesh" and "foreigners who are in the midst of the Children of Israel," seems to imply that the former were proselytes of foreign birth and national origin, while the latter were the Jewish offspring of mixed marriages, who had been circumcised and were being reared as Jews within the Jewish community, the "congregation of Yahweh." It implies further that of the foreign proselytes circumcision was not required as a condition or rite of admission into the "congregation of Yahweh" and of the privilege of worshiping Yahweh and offering sacrifices upon His altar. Plainly this legislation contemplates the denial of the privilege of Jewish worship, and therefore of membership in the "congregation of Yahweh," not only to the uncircumcised foreign proselytes, but also to the circumcised children of mixed marriages. Manifestly then this legislation is in complete agreement with the procedure outlined in Ezra 10.3. That Ezek. 44.6-9 either was the direct antecedent of the procedure contemplated in Ezra 10.3, or else, what seems equally probable, grew directly

Isa. 56.3a, 6a, 7 is the vigorous protest, in the name of Yahweh, of some anonymous prophet of this same period, against this disqualification of the proselytes and their expulsion from the "congregation of Yahweh," and the reaffirmation that their worship and their sacrifices upon His altar were indeed pleasing to Him. That in v. 7 we have a distinct reminiscence of Isa. 60.7b is beyond question, and plainly evidences the dependence of the author of Isa. 56.7 upon 60.1-3, 5-7.¹¹⁰

Now, if our thesis be correct, that a proselyte movement to Judaism could not have been possible or real before the erection and dedication of the second Temple in 516 B. C.,¹¹¹ it follows, from the manifold evidence just cited, that there must have been an actual proselyte movement to Judaism throughout the period of the second Temple, and, furthermore, that it must have been rather extensive, so much so that at the return of Ezra in 458 B. C. proselytes and the offspring of mixed marriages, either with foreign or with proselyte women, must have constituted a not inconsiderable, and therefore to Ezra and his associates a very disturbing, portion of the Jewish community of Palestine, of the "congregation of Yahweh". For the specific purpose of validating his program of termination of the proselyte movement and the expulsion from the Jewish community of all foreigners and of the offspring of these mixed marriages, the legislation in Deut. 23.3-4 and Ezek. 44.6-9 must have been formulated. Earlier than this it could not possibly have been enacted or even thought of, for prior to 516 B. C., when the proselyte movement began, such a program and such legislation would have been unrealistic, meaningless and even inconceivable. On the other hand, that this legislation was not at all theoretical, that it dealt with an actual situation, one which to its authors was troublesome indeed, and which they endeavored to handle in direct and effective manner, is beyond all question. That there was a

and quickly out of Ezra's program, announced upon this occasion, and must therefore be the product of the period of Ezra and emanate from him and his school or party, there can scarcely be any doubt.

¹¹⁰ Note that we have had reason to emend בית תפארתִי of Isa. 60.7b to ביתִי, precisely as in Isa. 56.7; cf. above, note 41.

¹¹¹ Cf. above, p. 417.

definite and substantial proselyte movement to Judaism during the period of the second Temple, 516-485 B.C., is now firmly established. This is certain.

Moreover, all these historical records and all this legislation dealing with proselytism, whether sympathetically or antagonistically, are distinctly individualistic in character. The converts to Judaism and likewise those who are to be expelled from the "congregation of Yahweh" or are denied admission therein are referred to invariably as individuals and not as nations. This is, of course, realistic; for proselytism to Judaism at this time, just as always, must actually have been by individuals, not by nations or peoples. But it is just this unrealistic, idealistic proselytism of nations and peoples and city-states which is envisaged graphically in Zech. 8.20-22; Isa. 60.1-3, 5-7 and Micah 4.1-4. It is clear from this that all three of these passages must come from a time, even from a moment, not long after Deutero-Isaiah and at the very beginning of the proselyte movement, when it was still largely theoretical and visionary, but was none the less, as the multiplicity of references to proselytism indicates, narrowly impending¹¹² and was hailed eagerly and enthusiastically by at least three powerful prophetic voices.

¹¹² Cf. also Isa. 14.1, and note that there, too, Yahweh's renewed choice of Israel, i. e. the renewal of His covenant with it, is to be followed by His restoration of the exiles to their native land, and then this, in its turn, by the proselytism of foreigners to Judaism.

Note, furthermore, that Isa. 14.2 represents a distinct qualification of this whole-hearted attitude towards proselytes and the proselyte movement and even a repudiation thereof. Precisely like Isa. 60B, it affirms that Israel, still in exile or in captivity, is to be restored to its native land by foreign peoples themselves, impliedly those very nations which at the moment are holding Israel captive. And restored to its native land, these foreign peoples will submit themselves to Israel as heritable slaves, so that from now on Israel shall play the role of captor to its former captors and rulers of its former oppressors. This v. is a splendid epitome of Isa. 60B. The point of view here is also very close to that of Lev. 25.45-46, where a clear-cut distinction is made between native-born Jews, all members of the "congregation of Yahweh," and therefore represented as "brothers," and the offspring of foreigners, presumably proselytes, who dwell in Palestine. The latter may be regarded and treated as slaves and as heritable property, while the former must be restored to freedom in the Jubilee year. The point of view here is precisely the same as

All three of these passages must come then from 516 B. C., or, at the very latest, from almost immediately thereafter. Isa. 60A must have been uttered upon the day of dedication of the second Temple, the New Year's Day, VII/10, 516 B. C. Zech. 8. 20-22 in all likelihood was spoken upon the same occasion and therefore upon the same day. And Micah 4.1-4, too, may well come from the same occasion and the same moment. All three passages anticipate vividly and evidence convincingly the proselyte movement which now set in.

They evidence too, in most illuminating manner, the vast transformation of thought and program of the little Jewish community of Palestine during the brief but momentous four years period, 520-516 B. C., the transformation from active, militant, self-reliant nationalism to religious universalism, the repudiation of the ideal of nationalistic independence and political world-leadership, and the establishment of the Jewish community of Palestine as a theocracy, with Yahweh, the world-God, even as Deutero-Isaiah had conceived and proclaimed Him less than thirty years earlier, as its true and eternal King, and with the chief priest of the new Temple, now bearing the significant title, "the anointed priest," supplanting the pre-exilic kings of Judah, those of the dynasty of David, functioning as God's representative and vice-gerent on earth, and therefore the titular head of this new Jewish theocracy.

in Isa. 14.2 and 60B. All three passages must come from approximately the same time, the time of Ezra, when the reaction away from the earlier unrestricted universalism and active proselytism of the period, 516-485 B. C., towards a narrow and decidedly chauvinistic and separatistic nationalism had set in.

Quite similarly Mic. 4.5 has been affixed to 4.1-4 (though not to Isa. 2.2-4). It, too, qualifies, in a decidedly hostile manner, the absolute universalism and program of proselytism of vv. 1-4 by affirming that all the other nations should walk each in the name of its own god, while Israel, for its part, will walk forever in the name of Yahweh, its god. This is manifestly a complete and absolute repudiation of the universalistic and proselytising vision and program voiced in vv. 1-4, and an affirmation of the later, distinctive, separatistic, isolationist program. It, too, must come unmistakably from the age of Ezra. And this is, in turn, further and quite compelling evidence that Mic. 4.1-4 must come from the pre-Ezranic period.

As has been said, with the erection and dedication of the second Temple upon the Jewish New Year's Day in 516 B. C. all three indispensable conditions for the realization of Deutero-Isaiah's program of world-salvation by Yahweh and the conversion of all nations and peoples, even unto the very ends of the earth, to His worship were satisfied completely and literally. The return of the exiles under Zerubabel had demonstrated Yahweh's world-power and authority convincingly. Jewish nationalism, with its indispensable corollary, that Yahweh was its own peculiar deity rather than the god of all mankind, and with its attendant program of separatism and particularism, had been repudiated, for the moment at least, and the reorganization of the Jewish community as an elastic, all-embracing theocracy, the "congregation of Yahweh," had superseded it. And now the Temple had been rebuilt, a magnificent house of worship, dignified already in its first state, but destined to be adorned and glorified by the gifts and sacrifices of all the nations, until it should become the most beautiful, the most impressive sanctuary in all the world, worthy in every way of the one God of the entire universe, to which all the nations and peoples of the earth would pilgrim, there to acknowledge Him as the world-God and therefore as their own God, to join humbly but unrestrictedly in His worship, to seek His oracle, His revelation of His way of life, His *torah*, and thereafter to walk in His paths and live the life which, from the very beginning, He had ordained for all mankind through all of time and history. Then all war would cease, universal peace would be established forever, and nations and peoples and all mankind would find through Yahweh, the "Holy One of Israel," that true salvation, for which they had been groping so desperately for these many years, and which their own, vain, false gods could not provide for them. Then, at last, after long waiting and bitter travail by Israel and all mankind, a new age, a new era, in which God's universal plan, His עצה, and His right world-order, His צדק or צדקה, of which Deutero-Isaiah had spoken and the speedy coming of which he had heralded so confidently and so glowingly,¹¹³ would be ushered

¹¹³ Isa. 46.11-13.

in, to endure forever, to the very end of time. Such was the lofty theme of these three noble prophetic voices of 516 B. C.

As has been said, that a substantial proselyte movement to Judaism set in almost immediately and that it continued through practically the entire period of thirty years, during which the second Temple stood, is certain. That it came to an end eventually and was succeeded by a revived religious, but still anti-nationalistic, theocratic separatism, particularism and isolationism, inaugurated by Ezra and his associates, is equally certain. This meant, of course, the complete reversal of the significant transition which had taken place in Jewish life and thought during the four years, 520-516 B. C. This movement in reverse and the subsequent history of Judaism and of the Jewish people can be understood adequately only if the initial transition from nationalism to universalism is comprehended in all its details and implications. It is our hope that this little study may have contributed somewhat to this understanding.

Many questions arise naturally in connection with this study, questions of large interest and deep significance, which concern the subsequent history of Judaism and likewise the rise of Christianity and of Christian thought and doctrine as well, such questions as: Who were these first proselytes to Judaism? What contribution did they make to the thought, doctrine and ritual practice of Judaism? What role, if any, did universalistic thought play in the doctrine and program of Judaism in the period after Ezra? These and many other questions of equally far-reaching significance challenge us, as we survey the beginning of proselytism in Judaism, and even in world-religion. But it suffices here merely to pose these questions. The detailed consideration of them must wait some other, more favorable opportunity. I trust that that opportunity may come in due time.

ADDITIONAL NOTES

A

THE PRECISE DATE OF ISA. 55.1-5
(Note 34)

According to John 7.37, on the last day of the Sukkot Festival, here called specifically "the great day of the feast," Jesus, who had come up to Jerusalem for the celebration of the festival, arose and exclaimed, "If any man thirst, let him come unto me and drink." These words are certainly a paraphrase of Isa. 55.1. In the following v. Jesus develops in characteristically homiletic manner the thought which these words suggest. While the passage does not state so specifically, it seems to imply clearly that on this festal day Jesus preached, presumably in a synagogue in the holy city, using Isa. 55.1 as his text. Just why he should have chosen this text is not clear, unless it be that, as seems altogether probable, this v. was a part of the traditional *Haftarah* portion of Scriptures at that time regularly read in the Synagogue on that day. But if so, then certainly at least the entire passage, Isa. 55.1-5, must have been read for that purpose.

Just why the last day of the Sukkot Festival, the eighth day, should have been called "the great day of the feast" is not clear; for all in all this day, conventionally known as שמיני עצרה, was, as legislated for in the Torah (Lev. 23.36; Num. 29.35), a rather colorless day, with no particularly outstanding characteristics, and the specific reason for the celebration of which is nowhere stated. Moreover, according to the sacrificial ritual of the Sukkot Festival, recorded in Num. 29.12-39, the first, rather than the eighth and last day of the festival was its "great day," for upon it the prescribed animal sacrifices far outnumbered the corresponding sacrifices prescribed for the eighth day.

The only possible explanation of the designation of the last day of the festival as its "great day," in John 7.37, can be that among the Galilean Jewish sectarians, among whom Jesus and his disciples belonged (a matter which will be established convincingly in the forthcoming Part III of "The Chanukkah Festival and the Calendar of Ancient Israel"), and to whom he was certainly preaching upon this occasion, a reminiscence survived of what this eighth day of the Sukkot Festival had been originally. This would not be at all surprising; for, as will be established conclusively in that study, these Galilean sectaries even as late as the time of Jesus, adhered very closely to the ancient pentecontad calendar and its system of festivals, particularly in the slightly modified form recorded in the Holiness Code (cf. *op. cit.*, II, 447-457).

This calendar of the Holiness Code was the official calendar of the Jewish people during the period from the end of the Babylonian exile until the adoption of the new and greatly modified calendar of the Priestly Code, at some time during the final quarter of the fifth century B. C. (cf. "Supplementary

Studies in the Calendars of Ancient Israel," 72–108). In this Holiness Code calendar the Sukkot Festival, still called by its ancient name, the Festival of Ingathering (cf. Lev. 23.39), was celebrated upon the last seven days of the year. The eighth day of the festal period, the day of the fall equinox, VII/10, was the New Year's Day. Still in the days of Ezra, i. e. in the middle of the fifth century B. C., this festival was so celebrated (cf. "Supplementary Studies in the Calendars of Ancient Israel," 56 f., 63 ff.). Moreover, in the Holiness Code the Festival of Ingathering was still one of seven, and not of eight, days (cf. Lev. 23.39a). Only after the calendar of P supplanted this calendar of H, and the date of the festival, now called *Sukkot*, "Booths," was shifted from VII/3–9 to VII/15–21 (Lev. 23.34; Num. 29.12), was the eighth day of the celebration of this festival inaugurated. And even that was not done immediately, it is clear, for both of the above cited P passages state positively that the festival was to be celebrated for only seven days.

What happened is, however, perfectly clear and comprehensible. After the calendar change and the shift in the dating of the Sukkot Festival, the recollection must have persisted and found expression in folk-practice, that actually the sacred festal period had consisted, not of seven, but of eight days, viz. the seven days of the festival proper plus the eighth day, the New Year's Day, the "great day" of the complete festal period. Accordingly even after the Priestly reorganization of the calendar and the shifting of the order and dates of the festivals, the people must have remembered and continued to observe, not merely the seven days of the Sukkot Festival proper, just as Lev. 23.34; Num. 29.12 prescribe, but also an additional, somewhat nondescript eighth day, which eventually came to be called שְׁמִינִי עֶזְרָה, "Eighth, Concluding Day."

Moreover, in the original celebration of the eight days festal period of the Holiness Code, it is clear that, not the first day of the festival, but the eighth and final day, the New Year's Day, was indeed the most important day, the "great day." A clear reminiscence of this undoubtedly survived among these Galilean sectaries, along with various other details of the old Holiness Code calendar, which they safeguarded and observed steadfastly. Quite probably therefore the designation in John 7.37 of the last day of the Sukkot Festival as its "great day" faithfully records the Galilean point of view and even the synagogal practice of these Jewish sectaries.

But if so, then it is not at all improbable that in their own peculiar synagogal worship upon this day Isa. 55.1–5 constituted the regular prophetic reading, and that this fact suggested to Jesus the text for his sermon to his fellow-sectaries and other participants in the worship in that particular synagogue upon this day.

But if, in turn, this be correct, then it may well be again that this little passage, or else the full address, of which it was only a fragment, was spoken originally in 520 B. C. upon the New Year's Day of that year, VII/10, i. e. October 6 (according to Parker and Dubberstein, *op. cit.*, 28). Certainly the announcement of what was to be manifestly a new era, not only for the little

Jewish people, but also for the entire world, constituted a most appropriate theme for a New Year's Day message.

This chain of thought is indeed logical and realistic. On the other hand, it rests upon entirely too many conditions to be advanced as anything but a hypothesis; but a hypothesis, however, which, in the light of the well-evidenced practice of the prophets, of proclaiming their messages, whenever possible, in connection with the celebration of a major festival, when they could be assured of a large, representative audience in a religiously receptive frame of mind, has very much in its favor. In fact it requires no stretch of the imagination whatever to picture the prophetic author of this address arising in a synagogue, before the congregation which had assembled there for the celebration of the New Year's Day in 520 B. C., when the Temple had as yet not been erected, precisely as Jesus did some five and a half centuries later, to deliver a message appropriate to the great day of this solemn festal period, and beginning his address with the stirring words, certain to attract the attention of his hungering and thirsting hearers, suffering from the effects of the long protracted drouth, "Ho, each of you who thirsteth, come ye to the water." If this hypothesis be correct, then it would follow that Isa. 55.1-5 was uttered by its anonymous prophetic author approximately two and a half months before Hag. 2.10-23.

B

LOSS OF WORDS AT THE ENDS OF LINES IN MANUSCRIPTS

(Note 36)

That a word should have been lost at the end of a distich which plainly was written as a single line in manuscripts of Isa. is not at all surprising; for its position at the end of a written line would bring it close to the left hand edge of the *דלת*, or column, of the manuscript. Quite naturally deterioration of manuscripts set in most frequently at the edges; and since not infrequently, because of the length of the written line, the last word thereof came much closer to the left-hand edge of the manuscript than the first word of the line did to the right-hand edge, the loss of the last word or words of a line was an occurrence much more frequent than the loss of a word or words either at the beginning of or else within the line. A few very patent instances of the loss of a word at the end of a line, all chosen from Deutero- and Trito-Isaiah, will suffice for illustration.

In Isa. 58.10b it is stylistically inelegant that the feminine noun, *ואפלתך*, in the second stichos, should be the second subject of the masculine sing. verb, *וורח*, in the first stichos. Moreover, darkness is regularly represented in the literatures of all languages as "falling," never as "rising," and least of all as "rising like the sun" (*וורח*). In biblical Hebrew the verbs regularly used to describe the oncoming of darkness are *היה* (Ex. 10.21, 22; 14.20) or, with the Deity as the subject, *שיח* (2 Sam. 22.12 [= Ps. 18.12]; Ps. 104.20), *שים* (Job 19.8), *נחן* (Ezek. 32.8). Furthermore, none of these verbs, no more than *וורח*,

would express the idea which the parallelism here plainly requires. It is absolutely necessary to supply, by conjecture, at the end of the line some such word as נָגַה, "shall become radiant," and thus complete the natural parallelism of thought, provide the expected 3/3 metrical form, and also achieve a most effective chiasm within the distich.

Similarly in the following passages in Isa., all of them occurring at the ends of lines, and all of them completing the expected meter, providing the proper parallelism, and in most cases producing an effective chiasm, these words should be supplied: 35.2c, יְבִישׁוּ; 8b, בּוּ; 45.3a, אֲנִלָּה; 14c, בִּלְעֵדִיךָ; 46.6b, אֲלִיוֹ; 14c, אֲשִׁיב; 54.16b, אֲשֶׁר עָשָׂה (or חָשַׁב). These few, quite obvious illustrations will suffice to justify the supplying of יַחְתֵּל or some other verb of comparable meaning here. They could easily be multiplied many times, not only from Deutero- and Trito-Isaiah, but also from the other poetical writings of the Bible, were this necessary.

(Addendum to Loewe Article continued from page 306)

Aramaic. Rendering in the Vulgate to Daniel conforms to the general treatment of עולם elsewhere, and the fact that Dan. 6.27 (חיא וקים לעלמין) Vulg. *aeternus in saecula* replaces OL *permanens in saecula* suggests that the same revision has taken place as elsewhere. Against this, however, perhaps we must reckon the use of *in aeternum* (*sempiternum*) *vive* addressed to Nebuchadnezzar and Darius (2.4, 3.9, 5.10, 6.7, 6.22) — surprising, but not at complete variance with Jerome's usage (see p. 291; and 2.20, where מן עלמא ועד עלמא in a doxology is rendered *a saeculo et usque in saeculum* (? an oversight, cf. Ps. 41.13Jh, cf. p. 286 and 291. For Jerome's difficulty with Aramaic, see the Preface to Daniel (P. L 28, 1358–9), where, however, he does not suggest that he felt his knowledge inadequate for his task (*magis possum sermonem Chaldaicum legere et intelligere, quam sonare*). Cf. Preface to Tobit, P. L. 29, 25 ff.

- מר ישיעה זנה [כב]
- לה. יום א' ב' ימים לחדש מרחשון ש"ט מלתי בשר ערלת בן הנולד להר' יצחק בר' מנחם ז"ל בפבריאנו היושב בפשיה גליל טוסקאנה, וקראו בישראל שמו מנחם, יגדלוהו ה' ליראתו, אמן.
- לו. יום ו' ר"ח אדר שנת ש"ט מלתי בשר ערלת בן נולד לה' יהודה הנקרא ליאון המגן יושב היום בעיר פיסא, וקראו שמו, בישראל רפאל, יגדלוהו ה' ליראתו, אמן.
- לז. יום א' שהיה יום הושענא שנת ש"ל מלתי בשר ערלת בן הנולד להר' אהרן מבינוינטו יושב היום בעיר פיסא, וקראו שמו בישראל אריאל, יגדלוהו ה' ליראתו, אמן.
- לח. יום ש"ק י"ט ימים לחדש מרחשון שנת ש"ל מלתי בשר ערלת בן הנולד להר' יהודה קאטורוי היושב היום בפונטידירה, וקראו שמו בישראל משה שבתי, יגדלוהו ה' לאהבתו וליראתו, אמן.
- לט. יום ג' ה' ימים לחדש טבת שנת ש"ל מלתי בשר ערלת בן הנולד להר' יצחק בר' עמנואל אלפלינק היושב בפונטידירה, וקראו שמו בישראל יוסף, יגדלוהו ה' ליראתו כל הימים.
- מ. יום ו' י"ב ימים לחדש אדר ש"ל מלתי בשר ערלת בן הנולד להר' דוד פאלקון הישב פה פיסא, וקראו שמו בישראל יהודה, יגדלוהו ה' ליראתו כל הימים.

מילואים לעמ' כ"ז וה'

בנוגע לזמן גירוש טריויסו מזכרתי בשתי תעודות, אחת מהן מאשרת את השערתו שהגירוש חל לאחר שנת ש"ז. מצד אחר השניה מכחשת את תקוני "של"ה" במקום "רל"ה".

הראשונה היא התעודה אשר פרסמתי ב"אבני בנין" לתולדות היהודים בוירונה, חוב' ב', ת"ש, עמ' 21. זמנה של התעודה היא שנת ש"י, ובה מזכרת טריויסו בין הקהילות אשר סופר והקהל בוניציאה מצווה מפי הוועד הקטן לשלוח להן העתק התקנה על דבר הפומפה. בשנת ש"י קהילת טריויסו היתה עדיין קיימת. אנב, בתעודה זו מזכרת גם קהילת אודיני, ועל פי זה צריך יהיה לקבוע גם זמנו של גירוש אודיני לאחר שנת ש"י.

התעודה השניה שזכרתי בה הוא העתק מצבת ה.קצין וראש המדינה כה"ר שמחה קלמן טיריווי' שהרפיס ברלינר ב"לוחות אבנים", עמ' 42, מספר 64. מתוך המצבה יוצא ש.קלמן טיריווי', שהיה מן המגורשים, נפטר בשנת של"ב. תחומי הזמן של הגירוש הם איפוא ש"א-ש"ל.

ישמעאל יצ"ו מס' מיניאטו יושב באינפולי, וקראו שמו בישראל זכריה, יגדלוהו ה' לאהבתו וליראתו, אמן.

כא. יום ב' י"ג לחדש אדר שנת שי"ו מלתי בשר ערלת הבן הנוולד להר' יעקב אלפילינק יושב בפיסא, וקראו שמו בישראל יצחק, יגדלוהו ה' לאהבתו וליראתו, אמן.

כב. יום ש"ק י"ו ימים לחדש אלול שנת שי"ו מלתי בשר ערלת הבן הנוולד להר' ישמעאל בר' זכריה ז"ל יושב באינפולי, וקראו שמו בישראל יצחק, יגדלוהו ה' ליראתו, אמן.

כג. יום ו' ד' ימים לחדש תמוז שנת שי"ט מלתי בשר ערלת הבן הנוולד להר' בנימן בר' ישראל פינצי היושב במאסה, וקראו שמו בישראל גרשם, יגדלוהו ה' ליראתו, אמן.

כד. יום ג' ב' ימים לחדש אדר שכ"א מלתי בשר ערלת הבן הנוולד להר' שלום בר' יהודה ז"ל רופא יושב בעיר לוקא, וקראו שמו בישראל אליעזר, יגדלוהו ה' ליראתו, אמן.

כה. יום ש"ק כ"ב ימים לחדש מרחשון שנת שכ"ב מלתי בשר ערלת הבן הנוולד להר' יהודה פאסילייז ספרדי יושב באינפולי, וקראו שמו בישראל משה, יגדלוהו ה' ליראתו, אמן.

כו. יום א' ז' ימים לחדש אייר שנת שכ"ב מלתי בשר ערלת הבן הנוולד להר' שלום יצ"ו יושב בלוקא, וקראו שמו בישראל שמעון, יגדלוהו ה' ליראתו, אמן.

כז. יום ב' כ"ה ימים לחדש אב שכ"ב מלתי בשר ערלת הבן הנוולד לכמ' מנחם הרופא בר' שלמה מפיסא קרובי יצ"ו היושב היום בפיסא, וקראו בישראל שמו יצחק, יגדלוהו ה' ליראתו, אמן.

כח. יום ג' י"ז ימים לחדש כסליו שכ"ה מלתי בשר ערלת הבן הנוולד להר' יהודה פאלקון פורטוגיסי, וקראו שמו בישראל אברהם, יגדלוהו ה' ליראתו, אמן.

כט. יום א' ה' ימים לחדש מרחשון שכ"ו מלתי בשר ערלת הבן הנוולד להר' בנימין פינצי יצ"ו היושב בקאררה, וקראו שמו בישראל נתן, יגדלוהו ה' ליראתו, אמן.

ל. יום ד' כ"ב ימים לחדש אב שנת שכ"ו מלתי בשר ערלת הבן הנוולד להר' יהודה פאלקון, וקראו שמו בישראל שמעיה, יגדלוהו ה' ליראתו, אמן.

לא. יום ב' ערב חג המצות שנת שכ"ח מלתי בשר ערלת הבן הנוולד להר' יהודה שאביבי פורטוגיסי, וקראו שמו בישראל שמואל, יגדלוהו ה' ליראתו, אמן.

לב. יום ב' ר"ח אב שנת שכ"ח מלתי בשר ערלת הבן הנוולד להר' שלום הרופא יושב בלוקא, וקראו שמו בישראל משה, יגדלוהו ה' ליראתו, אמן.

לג. יום ש"ק כ' לחדש אב שנת שכ"ח מלתי בשר ערלת בן הנוולד לכמ' יצחק מריאטי יצ"ו, וקראו שמו יואב, יגדלוהו ה' ליראתו, אמן.

לד. יום ב' כ"ב לחדש אב ~~שנת~~ שכ"ח (?) מלתי בשר ערלת בן הנוולד להר' בנימן פינצי בקאררה, וקראו שמו מצליח, יגדלוהו ה' ליראתו, אמן.

- אלפילינק יושב באינפולי, וקראו שמו בישראל יוסף, יגדלוהו ה' ליראתו ולאהבתו, אמן.
- ט. יום ב' ג' ימים לחדש תשרי ש"ז מלתי בשר ערלת בן הנולד להר' מלאכי יצ"ו בכ"מ זכריה ע"ה מס' מינאטו, וקראו שמו בישראל אברהם גדליה, יגדלוהו ה' לאהבתו וליראתו, אמן.
- י. יום ש"ק כ"ג לחדש סיון ש"ז מלתי בשר ערלת בן הנולד להר' שלמה קאטורזי ספרדי יצ"ו יושב בפראטו, וקראו שמו בישראל דוד, גדליה, יגדלוהו ה' לאהבתו ולחורתו, אמן.
- יא. יום ד' י"א ימים לחדש אלול ש"ח מלתי בשר ערלת בן הנולד להר' אוריאל פינצי יצ"ו היושב בפראטו, וקראו שמו בישראל יצחק, יגדלוהו ה' ליראתו, אמן.
- יב. יום ה' כ"א ימים לחדש אב ש"ט מלתי בשר ערלת בן הנולד להר' משה אלפילינק יושב באינפולי, וקראו שמו בישראל שלמה, יגדלוהו ה' לאהבתו וליראתו, אמן.
- יג. יום ד' י"א ימים לחדש תמוז ש"י מלתי בשר ערלת בן הנולד להר' עמנואל אלפילינק יושב בפונטיריה, וקראו שמו בישראל יוסף, יגדלוהו ה' לאהבתו וליראתו, אמן.
- יד. יום ה' י"א ימים לחדש כסלו ש"א מלתי בשר ערלת בן הנולד להר' אוריאל פינצי יצ"ו היושב בפראטו, וקראו שמו בישראל יעקב, יגדלוהו ה' ליראתו, אמן.
- טו. יום א' ח' ימים לחדש ניסן ש"א מלתי בשר ערלת בן הנולד להר' רפאל ממונ' סאנטי פה פיסא וקראו שמו בישראל אלישע, יגדלוהו ה' ליראתו, אמן.
- טז. יום ש"ק ט' ימים לחדש אלול שנת ש"ג מלתי בשר ערלת בן הנולד להר' מתתיה מספורנו יצ"ו היושב באינפולי, וקראו שמו בישראל דוד מצליח, יגדלוהו ה' לאהבתו וליראתו, אמן.
- יז. יום ד' כ"ד ימים לחדש מרחשון שנת ש"ד מלתי בשר ערלת בן הנולד להר' רפאל ממונטי סאנטי יצ"ו היושב בפיסא, וקראו שמו בישראל אליה, יגדלוהו ה' ליראתו ולאהבתו, אמן.
- יח. יום ב' כ"ט ימים לחדש אלול שנת ש"ד מלתי בשר ערלת בן הנולד להר' יהודה בר' שלמה קאטורזי יצ"ו היושב בפראטו, וקראו שמו בישראל יצחק, יגדלוהו ה' לאהבתו וליראתו, אמן.
- יט. יום ב' י"א ימים לחדש כסלו שנת שט"ו מלתי בשר ערלת בן הנולד להר' יעקב אלפילינק יושב בפיסא, וקראו שמו בישראל יוסף, יגדלוהו ה' לאהבתו וליראתו, אמן.
- כ. יום א' ראשון לחג השבועות שנת שט"ו מלתי בשר ערלת בן הנולד להר'

א. אולי זהו ר' דוד ספורנו הנ' במבוא לתעודתנו. עפ"י זה העתיק את מושבו מאינפולי לפישה בשוח של בערך.

אולם מרשימתנו יוצא כי יהודה פאסיליו ספרדי היה, ומרשימת קאסוטו אנו למדים כי ממגורשי נאפולי היה. וזה בא ללמד על כלל הספרדים הנמצאים ברשימתנו שמנאפולי מוצאם.

מס' ל"ה. פיסה מופיעה ברשימתנו בפעם הראשונה בתחילת שנת שכ"ט, ז"א שנה לאחר פסק דינו של ר' רפאל יוסף טריוס להתיר שם הישיבה ליהודים. אבי הילד בא מפבריאנו, ממדינת האפיפיור. סמך לדבר שאימת הגירוש היתה באמצע. מס' ל"ז. אהרן מבינווינטו (da Benevento). בינווינטו היתה בכלל גורת הגירוש של שנת שכ"ט. וקרוב לשער שאבי הילד הוא מן המגורשים, או עזב את בינווינטו ערב הגירוש.

מס' ל"ח. המנהג האיטלקי לקרוא את הנולדים בשבת בשם 'שבת' טרם רווח במאה הט"ז. משמונת המקרים של מילה בשבת (ד', ו', י', ט"ז, כ"ב, כ"ה, ל"ג, ל"ח) רק באחרון הוסיפו לילד את השם 'שבת', ובמקרה זה אבי הילד הוא לא איטלקי כי אם ספרדי שבא מנאפולי.

א. * לזכרון טוב וברכה אמן. איך היום יום ד' י"ג ימים לחדש סיון שנת רצ"ז לפ"ק מלתי בשר ערלת הנער בן הנע' מיכאל כהן מבויהריאה (?)² פה בעיר פיסא, וקראו שמו בישראל אליעזר. ה' יזכהו לתורתו וליראתו אמן, ויוכני לקיים המצוה הזאת להבא אמן סלה.

ב. יום ג' ו' לחדש שבט שנת רצ"ח מלתי בשר ערלת בן הנולד להר' מלאכי בכמ' זכריה ע"ה מס' מינאטו וקראו שמו בישראל זכריה, יגדלוהו ה' לתורתו וליראתו ולחופה ולמעשים טובים אמן.

נפטר לעולמו יום ד' ג' תשרי רצ"ט פה פיסא. ברוך דין האמת.

ג. יום ג' ב' אדר ש' מלתי בשר ערלת בן הנולד להר' משה הנקרא רוביטילו היושב בסיינה, וקראו שמו בישראל מרדכי. יגדלוהו ה' לאהבתו וליראתו אמן. ד. יום שבת קדש כ"ד אייר ק' מאיו ש' מלתי בשר ערלת בן הנולד להר' משה ספרדי אלפילינק יושב באינפולי וקראו שמו בישראל יוסף. יגדלוהו ה' לאהבתו וליראתו אמן.

ה. יום ג' ז' תמוז ש"ב מלתי בשר ערלת בן הנולד להר' אברהם ספרדי יושב באינפולי וקראו שמו בישראל שלמה. יגדלוהו ה' לאהבתו וליראתו אמן. ו. יום שבת קדש כ"ה אלול ש"ג מלתי ערלת בן הנולד להר' משה אלפילינק ספרדי באינפולי, וקראו שמו בישראל דניאל. יגדלוהו ה' לאהבתו וליראתו אמן.

ז. יום ד' י"א ימים לחדש כסלו ש"ה מלתי בשר ערלת בן הנולד לר' אברהם ספרדי תושב אינפולי, וקראו שמו ששון (שמשון?), יגדלוהו ה' לאהבתו וליראתו.

ח. יום ה' י"ב ימים לחדש אלול ש"ה מלתי בשר ערלת בן הנולד להר' משה

* המספרים נוספו על ידי, ואינם בכתב.

² בהיותו בניורק בדקתי עוד הפעם את כתב'י, ונראה שצריך לקרוא: מבנייה ר"אה' (da Bagna Ria ?)

³ בכל המספרים צריך לתקן: וקראנו במקום, וקראו.

⁴ ק' = קלינדי = ראש חדש = ראשון.

נותנת שרובם הם חללי גירוש נאפולי בשנת ש' שמצאו מפלט במדינה הליברלית של בית מדיצ'י. נאפולי כידוע היתה תחת ממשלת ספרד והיסוד הספרדי היה מכריע בה. רגלים לדבר שיש לנו עניין עם יוצאי נאפולי, שכן הספרדים מופיעים ברשימה רק בשנת ש', עצם שנת הגירוש והילך. ואף גם זאת, שנים מהם מוצאים הנפוליטאני בטוח, כמו שנראה להלן.

ב. מספר לח, מילה בפישתה, יש לו יחס לתשובת ר' רפאל יוסף טריוס שלמעלה, כי זמנו הוא שנה אחת לאחר שטריוס התיר ליהודים להשתקע בפישתה. ומה שמעניין ביותר הוא שאבי הילד בא מפבריאנו, עיר השייכת למדינת האפיפיור. ההשערה קרובה שסערת הגירוש כבר הורגשה באויר בפבריאנו ולפיכך יצא משם ובא לטוסקאנה.

מוצא אני לנכון לצרף כאן רשימה קטנה שמצאתי בטופס הטורים, דפוס שונצינו, רנ"א, שבספריית ההיברו יוניון קולג': "אני דוד ספורנו למדתי ולמד אלי (ו) כמ' ר' יהודה יצ'ו, פה פישתה של'א לפ'ק ליי"א". (דף אחרון של טור אורח חיים). זהו היהודי השני הידוע לי שהשתקע בפישתה לאחר שהותר החרם.

ג. ולבסוף, עצם הפסקת הרשימה בשנת ש'ל היא תוצאת הגירוש של שנת שכ"ט. כי לרגלי השפעתו של האפיפיור על המושל מבית מדיצ'י אז חלה גזרת הגירוש במידה ידועה גם על טוסקאנה; גם שם גורשו היהודים בשנת ש'ל מכל המקומות במדינה, ורק בגיטו של פירנצי וסיינה הותרה להם הישיבה. לרגלי הגזרה הזאת עבר ר' נסים יחיאל מפיסא לפירארה. עי' קאסוטו, היהודים בפירנצי, עמ' 110 וכו'.

ומן הכלל אל הפרט:

מס' ב. משפחת מס' (או: מע') מיניאטו (da San Miniato) היא משפחת בנקרים עשירים אשר קשרים הדוקים לה עם משפחת מפיסא הידועה (עי' קאסוטו, היהודים בפירנצי, בלוח השמות, וגם במחברתו על משפחת מפיסא). זכריה, אבי אביו של הילד, הוא כנראה זכריה בן יואב בן אברהם הנזכר אצל קאסוטו, עמ' 149, הע' 3 (Zaccaria di Dattilo d'Abramo da S. Miniato). מלאכי (Angelo), אבי הבן, נזכר ביחד עם ר' נסים יחיאל מפיסא במחברת, ביאור זה יצא ראשונה בעניין הנט של תמרירירושא. שם אנו קוראים: "וכבר העידו עדים נאמנים על אמתת זה איש האלהים נורא כמהר"ר יחיאל נסים יצ'ו מפיסא והגאון כמהר"ר שלמה יצ'ו ממונטי דלולמו והנשא כמהר"ר מלאכי יצ'ו מע' מיניאטו".

מס' ד. משה ספרדי אלפילינק, הוא, קרוב לוודאי, בעליו של כתה"י הבורליאני המתואר ברשימת גייבאור, מס' 2438, ועל פי זה יש לתקן את הקולופון המובא שם: "אני אליעזר בכמ"ר אליה מפאדווא וצ'ל דר להוזה פה אינפולי (במקום: זטנפולו) הארתי מכתב זה החומש אל הנכבד משה אלפילינק (מקום: אלפלנו), חושב פה אינפולי (מקום: זטנפולו). ותהי השלמת מלאכתי בו היום יום ו' כ"ה תמוז שנת ה' אלפים ושל' גימל לבריאת עולם (מקום: וס' גימל - 1303)". גייבאור מעיר בצדק שהכתב אינו נראה כל כך ישן, כי באמת נכתב כמאתים וחמישים שנה אחר כך, היינו 1543.

מס' י. קרוב לשער ששלמה קאטורזי ספרדי הוא נצר המו"ל של השרשים לרד"ק שנדפס בנאפולי רנ"א. בקולופון שם המו"ל חותם: "הדל מתושבי עיר קלעת אויב אשר במלכות ארגון, יצחק בן לאדני אבי יהודה בן דוד ז"ל המכונה בן קטורזי". גם שלמה קאטורזי הוא, כנראה, מחללי הגירוש של נאפולי בשנת ש' שמצאו מפלט בטוסקאנה. בנו השני של שלמה קאטורזי נקרא בשם יצחק (עי' להלן מס' יח).

מס' כ"ה. קאסוטו היהודים בפירנצי, עמ' 179, מוכיר את יהודה בן יעקב בן יהודה פאטיליו מנאפולי, וחושב אותו לאחד הסוחרים המקומיים, כלומר לאיטלקי,

הנ"ל, היינו סדר ואופן ההוצאה הנ"ל והחלוק בנתינת מעות הנ"ל, לא יהיה שום פרייוריזציו לא לק"ק יצ"ו ולא לבעלי חנות יצ"ו, לא תוספת ולא גרעון כח כמשפטם ודינם, ולא תורה וחק ומשפט, ולא מנהג ועדות לשום עסק אחר, יהיה מה שיהיה, כי לא נעשה בסדר הזה, באופן ההוצאה הזאת וברירת הריינים כנ"ל, כי אם להוראת שעה בדבר הנ"ל דרך נדבת לב כל אחד מהחלקים.

ובפנינו חתומי מטה קבלו עליהם כבוד החלקים הנ"ל וכנ"ל לאשר ולקיים דברי קומפרומיסו זה בכח קניין סודר ובשבועת תקיעת כף בלי ערמה על דעת המקום ברוך הוא ועל דעת רבים ובפני רבים. ומעתה כל אחד מהחלקים הנ"ל וכנ"ל הקנה לחלק האחר ארבע אמות קרקע בחצרו בכל מקום שהן, ואגבן הקנה לו נכסיו שהיו משועבדים לאישור וקיום הנ"ל. ויהיה שטר זה מוחזק כשר בעידיו ונאמן בחותמיו כאילו נעשה בדיני ישראל בכל חיקוני חז"ל ובדיני ערכאות של גוים בכל תיקונייהם ונימוסיהם. ובטלו החלקים הנ"ל וכנ"ל כל מודעי ומודעי דמודעי ומודעי דנפקי מגו מודעי דמודעי עד סוף כל מודעי דעלמא שמסרו נגד שטר זה בכל לשון דאמרי רבנן דמבטלו בהון מודעי ותנאי. וקניא מידי כמה"ר שלמה וכמה"ר משה וכמה"ר שמואל הנ"ל וכנ"ל לזכות כמה"ר עמינדב וכמה"ר יהודה וכמה"ר שמואל הנ"ל וכנ"ל, ומי כמה"ר עמינדב וכמה"ר יהודה וכמה"ר שמואל הנ"ל וכנ"ל לזכות כמה"ר משה וכמה"ר שלמה וכמה"ר שמואל הנ"ל וכנ"ל במנא דכשר למקניא ביה.

ומה שנעשה ביום וחדש ושנה הנ"ל הכתבנו וחתמנו ונתנו ליד כל אחד ואחד מהחלקים הנ"ל להיות בידו לעדות וראיה ————— הכל שריר וקיים אפרים בכמ"ר יוסף מנאפולי ז"ל רפאל פינצי מגולו יצ"ו

תעודה ה'

הועתק מכת"י המכיל קובץ מאמרי קבלה, נכתב בידי ר' נסים יחיאל מפיסא בשנת רפ"ה (נעת בספריית הסמינר בניורק).¹ בראש הקובץ רצופים שלשה דפים המכילים רשימת נימולים, ארבעים במספר, משנות רצ"ז–ש"ל (1537–1570). המולה היה, כנראה, ר' נסים יחיאל בעצמו. הנימולים הם מפיסא ומשאר מקומות בגליל טוסקאנה, ואלו הן העיירות הנזכרות ברשימה: אינפולי (Empoli), לוקא (Lucca), מאסה (Massa), פיסא (Pisa), פישה (Pescia), פונטידירה (Pontedera), פראטו (Prato), קאררה (Carrara). כאמור, נתנו מקום לרשימה זו כאן, כי מכילה היא עקבות גירושים די בולטים:

א. כאשר אנו עוברים על שמות הנימולים, הדבר הראשון המושך את שימת לבנו הוא ריבויי של היסוד הספרדי; כמעט חצי הנימולים ספרדים הם. הדעת

¹ שם הקובץ הוא: "ענינים גוראים מחכמת הקבלה אשר לקטחים והנחתים פה בכחב אמת רשום בספר". ובקולופון אנו קוראים: "נשלם ע"י הצעיר יחיאל נסים בן לצדיק כמה' שמואל איש פיסא בקרית פיסא י"א לחדש ניסן שנת רפ"ה ליצירה. ה' יוכני לפתוח אלי שערי צדק אבא בם אורה יה'".

אחד זה בורר לו אחד, ולהם הרשות נתונה מאת הק' לטעון ולהשיב כל המצטרך בערך ההוצאה הנ'ל עם מע' הבעלי חנות יצ'ו, וידם וכחם ככה הק' יצ'ו בדבר הן לפטור הן לחיוב. וכן הבעלי חנות בחרו להם שלשה מהם, הלא המה: המרום כמה'ר עמינרב מפאנו יצ'ו והנעלה כמה'ר יהודה גירשוני יצ'ו והמפואר כמה'ר שמואל בריטארו יצ'ו, ולהם נתנו כח לסרור דיינים ולטעון ולהשיב כל המצטרך בערך ההוצאה הנ'ל עם מע' הק' יצ'ו.

וכן באו לפנינו חתומי מטה היום יום א' ל' סיימיברו של'ב החלקים הנזכרים, היינו המפואר כמה'ר שלמה סג'ל והנעלה כמה'ר משה מנורצי והמפואר כמה'ר שמואל עלמייא נבחרים מן הק' יצ'ו כנוכר לעיל – מצד וחלק אחד; והנעלה כמה'ר עמינרב מפאנו יצ'ו וכמה'ר יהודה גירשוני יצ'ו וכמה'ר שמואל בריטארו יצ'ו נבחרים מן מע' הבעלי חנות יצ'ו כנוכר לעיל – מצד וחלק שני. ואמרו לנו החלקים הנזכרים לעיל בכחם הנ'ל: הוו עלינו עדים נאמנים וקנו ממנו בקנין גמור ואגב סודר וכתבו בכל לשון זכות עדות וראיה וחתמו ותנו ליד כל אחד ואחד ממנו להיות בידו כנ'ל לעדות וראיה איך מרצון נפשנו הטוב מבלי שום אונס כי אם בלב שלם ורעת מיושבת מודים אנחנו בפניכם חתומי מטה כבפני בית דין חשוב, איך מרצון נפשנו בררנו לנו על דרך זה בורר לו אחד זה בורר לו אחד בהסכמה אחת לדיינים ופסקנים על הפרשותינו וטענות ותביעות שיש לנו החלקים הנ'ל זה על זה על דבר עניין הוצאת העניים החיצונים מגורשים מפסארו שבאו פה מנטובה מן ז' סיימיברו של'ב עד היום את המפוארים כמה'ר נסים מספורנו יצ'ו וכמה'ר ראובן בר' דוד זצ"ל, ועל פיהם יצא לאור משפטנו בדין או קרוב לדין כפי ראות עיניהם.

וכן מעתה אנו חלקים הנ'ל וכנ'ל נותנים כח ורשות לכבוד הדיינים הנ'ל לפסוק ולדון כפי ראות עיניהם כנ'ל ולברר כמה יהיה חלק המחוייבים מעל' הק' יצ'ו לתת בהוצאת העניים הנ'ל, וכמה יהיה חלק המחוייבים הבעלי חנות יצ'ו לתת בהוצאת העניים הנ'ל. והיה אם לא יסכימו מעל' הדיינים הנ'ל לדעת אחת יוכלו הם לברור להם שליש כפי רצונם, ומעכשיו מקבלים אנו חלקים הנ'ל וכנ'ל עלינו לשמור ולעשות ולקיים את דברי פסקם הן מה שיפסקו מעל' הדיינים בלי השליש הן מה שיפסקו עם השליש, הן מה שיפסקו רובם בהיות השליש בתוכם – הכל עלינו לקיים ואין אחר דבריהם כלום. וזמן הקומפרומיסו הזה ימשך בעד חדש אחד, מתחיל בעצם היום ל' סיימיברו של'ב.

ובתוך משך הזמן הלז למען לא יחסר מזג מזונות העניים הנזכרים וצורכם, בפנינו חתומי מטה הסכימו מעל' השלשה הנבחרים מהק' יצ'ו כנ'ל ומעל' השלשה הנבחרים ממעל' בעלי חנות יצ'ו כנ'ל בפשר הזה; היינו שמכל סך ארבעה סקורי זהב אשר יצטרכו להוצאת העניים הנ'ל יתנו בסדר ואופן זה: מעל' הממונים בשם הק' יצ'ו יתנו הרביע מהם, שהוא סקורי אחד זהב, ומעל' הבעלי חנות יצ'ו ב' שלישים, שהם חמשה עשר ליט', י"ד דינרים, ח' פשוטים; ומעל' הרבנים המותר עד הר' סקורי, שהם א' ליט', י"ט דינרים, ד' פשוטים. וכסדר הזה יתנו בכל ההוצאה המצטרכת אל הנזכרים בעד משך זמן הקומפרומיסו הנ'ל מחדש אחד כנ'ל. וכל

תעודה ד'

שטר זה בורר לו אחד וזה בורר לו אחד (קומפרומיס), נעתק מארכיון הקהילה במנטובה, - ספטמבר של"ב (1571). מסופר בו על העניים המגורשים מפיסארו אשר בדרך הליכתם מעבר לים, היינו לתגורמה, נשבו. חלק מהשבויים הושב לאיטליה ועול פרנסתם הוטל על הקהילות. כאשר אחדים מהמגורשים התחילו לבוא למנטובה פרצה מחלוקת בין המעמדות של הקהילה בקביעת תרומתו של כל אחד ואחד מהם לפרנסת העניים המגורשים, והחלטה נמסרה בידי ביתדין של זה בורר לו אחד וזה בורר לו אחד.

מי המה העניים המגורשים מפיסארו? ■■ הרברים סתומים כאן מפורשים הם בעמק הבכא ליוסף הכהן, עמ' 151: ויהי בחדש מארצו . . . (1571) ויגרש דוכוס אורבינו את היהודים אשר גורשו מערי הבמה בדבר הצורר אימפיו החמישי, וירדו הימה ללכת תוגרמתה, ויהי בהיותם אצל ראנשה ויפנשם שר צבא אניות בעלי יוניציאה . . . יוצא את הזקנים ואת הטף אל היבשה וישלחם חפשי (ועליהם תעודתנו אומרת, וקצתם חזרו לגלילות אלה), ואת הבחורים העביר אל אניותיו המשוטטות ויעבירם שמה כמשפט העבדים בפרך (ועליהם תעודתנו אומרת: ונתפשו קצתם בעוונותינו הרבים). ■■ אנו צריכים רק לדעת כי פיסארו היתה אז תחת ממשלת הדוכוס של אורבינו, פראנצסקו מאריאה מלרווייר, ולא נהסס לזהות את העניים המגורשים מפיסארו בתעודתנו עם היהודים אשר גורשו מערי הבמה (- מערי מדינת האפיפיור) שמדבר עליהם יוסף הכהן. גם המכתבים שפרסם דוד קויפמן בהשקפה הצרפתית כרך 20, עמ' 70-72 מוסבים, כנראה, על מקרה זה. השווה גריץ'שפר, חלק ו', עמ' 271, הע' 3, וכמו כן שטיינשנידר, ספרות ההיסטוריה של היהודים, סעיף 121, עמ' 105.

חשובה היא התעודה מכמה צדדים. מצד תוכנה היא קורעת חלון לתוך המבנה המסובך של קהילת מנטובה עם מעמדותיה השונים. רואים אנו שלא רק בעלי החנות, הבנקאים בלעז, כי אם גם הרבנים היו מעמד מיוחד בתוך הקהילה. מצד צורתה הרי יכולה התעודה הזאת לשמש דוגמה למופת של סגנון שטרי בית דין מוזיינים בכל הדקדוקים והתנאים של ברחל בתך הקטנה, סגנון רווח בערכאות האיטלקים של הזמן.

כל מחלוקת שהיא לשם שמים סופה להתקיים, שהעניין הכללי אשר ירצה האחר הוא אשר ירצה חבירו, ולא יתחלפו כי אם בענינים החלקיים הפרטיים. כיוצא בדבר הסכימו כל הק"ק יצ"ו והבעלי חנות יצ"ו בפרנסת העניים אשר נזכר, אך בפרטות אופן ההוצאה באו למחלוקת, וכונת כולם לקיים מצות התורה. **אשר** נפל הפרש וחילוק דעת - על דבר ההוצאות המשתרגות ובאות מסיבת העניים המגורשים מפיסארו שנסעו ללכת מעבר לים ונתפשו קצתם בעוונותינו הרבים וקצתם חזרו בגלילות אלה, ובאו מהם פה מנטובה מב' סיטימברו של"ב הלז עד עתה - בין הק"ק יצ"ו וכבו' הבעלי חנות יצ"ו, אלה אומרים סדר ואופן ההוצאה וחילוק המעות כך, וחלקנו בה כך וכך, ואלה אומרים סדר ואופן ההוצאה כך דינה וכך משפטנו. לקצץ בסעיפי המחלוקת ולבא עד תכלית הרבר כדין וכמשפט, הק"ק יצ"ו בחרו להם שלשה אנשים הלא המה: הנענב כמוהר"ר משה מנורצי יצ"ו והנעלה כמוהר"ר שלמה סג"ל והמפואר כמ"ר שמואל עלמייא, ועליהם הטילו עול ומשא ברירת הדיינים עם הבעלי חנות יצ"ו ע"ד זה בורר לו

ממוני קהילת מנטובה מודיעים לממוני קהילת אנקונה שנענו לבקשתם ותרמו מאה סקורי זהב להקל מעליהם את העול הכבד הרובץ עליהם. הנדבה הזאת היתה לטובת המנושרים ממדינת האפיפיור שמצאו מפלט באנקונה, אף על פי שלא נאמר זאת בפירוש, רמו גלוי לדבר. שכן באותו המכתב, ממוני מנטובה מודיעים שגם קהילת רומי היתה בכלל הברכה, וכי גם לה שלחו נדבה הגונה. כידוע, הוצאו רומה ואנקונה מכלל גזרת הגירוש, וזרם הפליטים משאר העיירות של מדינת האפיפיור השתפך לשני המרכזים האלה, שהוכרחו לבקש עזרה מן הקהילות שמחוץ למדינת האפיפיור. שני הממונים החתומים על המכתב לועזים (איטלקים) הם, ובאים גם כן על החתום ב.הסכמת אנשי כנסת הגדולה וטובי העיר ומנהיגיה מהלועזים ממנטובה יצ"ו שנדרסה ב.ביאור זה יצא ראשונה, מנטובה שכ"ז, בעניין הגט של תמרי-פירושא. הודות לחתימתו ב.ביאור' עלתה בידי להשלים את שמו הפרטי של הממונה השני שהוא קרוע ומטושטש במכתבנו. ב.ביאור' בא על החתום איש בשם משה בכמ"ר יעקב מהירצו יצ"ו, וכמעט שאין ספק בדבר שהוא הוא . . . בכמ' יעקב מהירצ' יצ"ו, הממונה השני במכתב. משרת הקהילה, גרשון בן . . . שמואל יצ"ו איש ב"ק, אישכנוי הוא ממשפחת מדפיסים מפורסמים בפראג. באמצע המאה ה'ט"ו אנו מוצאים את משפחת ב"ק בוירנה עי' מאמרי, אבני בנין לתולדות היהודים בוירנה, חוב' ב', עמ' 11, 12. גרשון שלנו הוא כנראה בנו של שמואל בן גרשם ב"ק הנו' בשות' מהר"ם מפדואה סי' נ"ו.

נותן שמש לאור יומם, יאר פניו אל מכ"ת לשלום

מאז קבלנו כתב מכ"ת קמנו ונתעורר להוציא לאור מאויי שאלתכם הראויה וההגונה לפום צערא וברקנו עד היכן שיד השנתנו מגעת להניח ברכה וסיוע אל מכ"ת לפי צורך וגורל המעשה הזה כי נורא הוא. ואל אלקים יודע כי עינינו ולבנו שם כל הימים ומחשבותינו מחשבותיהם לחשוב מחשבות הטוב והישר בעיני אלקים ואדם, בראותנו כי השעה צריכה לכך. אמנם גלוי לכל העמים ומודעת זאת בכל הארץ היותנו עמוסים מאד וכמשא כבד יכבדו ממנו עניי עירנו כי פרו וישרצו. ונוסף עליהם בני עיירות אחרות אשר סבובו גם סבבנו כאשר תעשינה הרבורים, חרשים מקרוב באו ובאים מדי יום ביומו, כאשר תוכלו לחשוב אנשי שלומנו. ועל כרא ודאי רפו ידינו וימס לבנו בקרבנו, ואולם למען עשה כיום הזה ולהיות תנא דמסייע למכ"ת כפי כחנו, לפי הנותן לא לפי המקבל, ולחזק ידיים רפות לקחנו מן הבא בירינו אחר המרבה ואחר הממעיט תרומה לה' סך מאה סקורי ז"ב (-זהב בזהב), למען על טוב יזכר שמנו וזכרונו לפני מכ"ת בנדבת ידנו, וכעת הזאת שלחנו גם כן מאשר הטיב ה' לנו אל מע' הקק"י רומי למען יהיו גם הם בכלל הברכה. ומבוסחים אנחנו במכ"ת שתקבלו נדבתנו זאת בסבר פנים יפות עם כי מצער הוא ותעלה לרצון על מזבח לבכם כאלפי זהב וכסף, ותיקר נא נפשנו בעיני מכ"ת להודיענו קבלת נדבתנו זאת. וה' יחזיק במעוכם יתן ויחזור ויתן ברכה עד בלי די לכ"ת ולכל ישראל אורך ימים ושנות חיים ורב שלום עד בלי ירח.

מנטובה יהי שם ה' מברך למב"י שנת שכ"ט

אדם חזק בכמ"ר אדם חזק זצ"ל / ממונה ק"ק מנטובה
גרשון בן לא"א כמ' שמואל יצ"ו איש ב"ק / משרת ק"ק מנטובה
[משה] בכמ' יעקב מהירצ' יצ"ו / ממונה ק"ק מנטובה

חכמה יונית¹. ומאחר שנורה זו היתה לכל ישראל שבזמן סנהדרין גדולה היתה ובירושלים והיתה סתם כמדת יהושע דאמר ארור האיש אשר יקום ויבנה יריחו,² לא כשבועת ישראל דגבי פלגש בנבעה שנשבעו איש ממנו לא יתן בתו לבנימין לאשה (שופטים כ"א, א'), ועוד ק"ל דארור בו חרם בו שבועה בו נדוי (שבועות ל"ו, ע"א), אם כן היה ראוי שיחמירו כל הדורות הבאים אחריהם בחכמת יונית ולא היה כח ביד שום ב"ר להתיר החרם ההוא ואעפ"כ מצינו שהותר לבית רבינו הקדוש ראשכחן בירושלמי פ' אין מעמידין (עבודה זרה פ"ב, ה"ב) ג' דברים התירו לבית רבי שיהיו רואים במראה ושהיו מספרים קומי ושילמדו לבניהם יונית שהיו זקוקים למלכות, ואיך אפשר שבזמן רבינו הקדוש שהיה ר' דורות אחר החרבן זלזלו בחרם ההוא להתירו, אלא על כרחך נאמר שמצאו פתח להתיר באמרם דסתמא לא החרימו ולא אסרו דבר זה לאותם שנכנסים בכל יום בחצר המלכות ולא לאותם שקרובים למלכות כמו שהיה בית רבי. וכמו כן בנדרון רידן נדרון ונאמר כי מסתמא אותם הרבנים שגזרו על ג' עיירות דלעיל שלא ידור בהם יהודי לאו אדעתיה דהכי גזרו שאם ישתנו אדוני המקומות ההמה מרעה לטובה או שיהיו ישראל נלחצים וצר להם ביתר המקומות שיהיה אסורם נוהג לעולם שלא יוכלו לדור שמה כלל, אדרבה מאחר שנמר עלינו ובגויים ההם לא תרגיע (דברים כ"ח, ס"ה) וזה ינחנו וזה יקחנו, אעפ"י שבצוק העתים גזרו על ככה, בקום עלינו מלך חדש אשר במשפט יעמיד ארץ, ומוראו עליהם אין ספק שלא עלה על לב הגוזרים שימשך האיסור ההוא תמיד, ומקום הניחו לנו להתגדר בו ולהתיר הדירה באותן המקומות בהזרמן עת הכושר והשעה צריכה לכך. ומעתה אענה אף אני חלקי ואומר אם חרם החרימו אין כאן חרם, בטל החרם מעיקרו, בטל האיסור מעיקרו, והרי הרשות נתונה מכאן ואילך למי שהשיג הורמא דמלכא לדור באותן המקומות, וגם ברכות יעטה ששון ושמחה ישיג ברכה ריוח והצלחה, ברוך יהיה בבואו וברוך בצאתו, יפתח ה' אליו ולכל ביתו את אוצרו הטוב, ישמרהו מכל רע, ומלאך פניו יושעהו ועל מי מנוחות ינהלהו אכ"ר.

נאם הרל באלפי רפאל יוסף טריויס, י"ט כסלו שכ"ח.

תעודה ג'

מכתב קהילת מנטובה לקהילת אנקונה משנת שכ"ט (1569) – נמצא בארכיון הקהילה של אנקונה.

- 1 דברי הבריתא מועתקים כאן בדילוגים ושינויים. הדלוגים הם, כנראה, מעשה המחבר. אולם בנוגע לשנויים קשה להכריע אם לא דק בהעתקה או העתיק מטופס כת"י עם שנויי נוסחה. שנוי מעין, אותו היום במקום, למחר קשה לזקוף על אי דיקנותו של המחבר.
- 2 יהושע ו, כו. גם הפסוק הזה מובא בדלוגים: ארור האיש (לפני ה') אשר יקום ובנה את (העיר הזאת את) יריחו.

יצ"ו הנ"ל נא בלשון בקשה כבו' מעלתך יטפל בעסק, כי ידבר כבו' על לב האשה
ההיא לצאת אל מקום אישה בהטעים כבו' מעלתך לה כי כן הדין נותן לפי תורתנו
הקדושה. מי יודע באולי יתעשת האלהים ויפנה לבה אל דברי אדוני כי ידבר
אלהי במתק שפתיו כי כן מנגלין זכות על ידי זכאי, ואני אם נכנסתי לפני
ממחיצתי להעמיס על אדוני הלא לשם שמים נחכוונתי, ועל ענוותנותך נשענתי כי
תסלח ותמחול לי ושלום.

אהרן יצ"ו בכמ"ד ישראל נ"ע איש רגיניו פינצי

תעודה ב'

מתוך קובץ, חשובות חכמי איטליה שבתפריית, קוליג'יו ראביניקו איטאליאנו,
לפנים בפירינצי וכעת ברומה.

ר' רפאל יוסף טריוס, רב בפידארה, נשאל על, חרם קדמונים הנוזר
איסור ישיבת יהודים בשלשה מקומות בגליל טוסקאנה - פשטויה (Pistoia),
פישה (Pescia), מונטי פולציאנו (Montepulciano) - אם הוא עומד בחקפו
עולמי, או יש פתח להתירו. תשובתו של טריוס היא, כי מסתמא אותם הרבנים שנוזרו
על ג' עיירות דלעיל . . . לא רצו שימשך האיסור גם, כשהיו ישראל נלחצים וצר להם
ביתר המקומות, ולפיכך מבטל הוא את החרם ומרשה לכל מי ששיג זכות מאת
הממשלה שילך וידור שם. אם נשים לב לדבר שהשאלה נשאלה בשנת שכ"ח, זאת
אומרת ערב שנת הגירוש ממדינת האפיפיר, לא קשה יהיה לנחש למי מכוון
טריוס כשהוא מזכיר את, ביתר המקומות שבהם, ישראל נלחצים וצר להם.

מן המקור היחיד הזה קשה לקבוע את זמן הטלת החרם. המפתח לפתרון שאלת
הזמן אפשר למצוא בדברי המחבר, שבצוק העתים גזרו על ככה. ונוטה אני
לשער שהחרם הוכרז בשנת רמ"ח (1488). באותה השנה, לרגלי דרשותיו מלאות-הארס
של האח הפרנציסקני ברנאדינו מפלטרי, התרומם גל של רדיפות ושנאת ישראל
בטוסקאנה ועי' קאסטו, היהודים בפירינצי, עמ' 56 וכו'.

הדיקולן של רדיפות אלו מצאתי בקטע מספר, חשבונות של חנות-מלוה
על משכונות בקאסטיליוני שבטוסקאנה. הקטע נמצא בארכיון הלאומי שבפירנצי.
למעלה יש כתובת חתוכת ראש, וזה לשונה: ומברכותיו ושיענון ויפר עצת הקמים
עלינו ויושיענו ויחיש ביאת משיחנו ויגאלנו במהרה בימינו אמן ואמן סלה
ועד ליי"א. כל החשבונות הרשומים בקטע הם משנות רמ"ח ורמ"ט.

על המחבר עי' בריל, יאחרביכר, ח"א, עמ' 118, הע' 167; עי' גם שמעון ברנשטיין,
משירי ישראל באיטליה, עמ' נ"ז, שפירסם קינה על מותו (שנת שמ"א).

על היתר ישוב פישטויה, פישה, מונטי פולציאנו,

אשר נשמע שחרם קדמונים שלא לדור בהם.

שנינו בפ' עגלה ערופה (סוטה דף מ"ט, ע"א וע"ב) בפולמוס של טיטוס גזרו
על עטרות כלה ושלא ילמד אדם את בנו יונית, ואיתא שם בגמ' דכשיצאו מלכי
חשמונאי זה על זה היו אותן שבפנים משלשלין לאותם שבחוץ בכל יום דיגרים
בקופה ומעלים להם תמידים, היה שם זקן א' ולעז להם בחכמת יון כל זמן שהם
עסוקין בעבודה אינם נמסרים בידכם, אותו היום שלשלו להם דיגרים בקופה והעלו
להם חזיר, באותה שעה אמרו ארור אדם שיגרל חזיר וארור אדם שילמד לבנו

שהיה מתיחס אליה. כי השם פנצי היה נפוץ מאד באיטליה של המאה הט"ז, ואנו נתקלים בו במקומות שונים (עי' מורטארה מח"א, ערך פינצי). ואם כן אפשר שנקרא מארי'ו כדעת מורטארה, di Arezzo והכוונה ששייך הוא לענף משפחת פנצי שיצא מאריצו, אף על פי שר' אהרן בעצמו היה איש רייו'. אולם יותר מסתבר שצריך לקרוא מאנשי רייו', ויהיה מקביל לאיש רייו'.

רבא דעמיה דברנא דאומתיה! הלא זה כמ' יהודה איש קנדיאה הרר פה פירארה הנה הוא מן הצועקים ואינו נענין, כי פעמים רבות בקש מן אשתו מב"ה לצאת מן המקום ההוא, בהיות כי לא איתדר ליה ~~שם~~ ולחוסר מזונות ולבוא אחריו פה פירארה מקום אשר מצא לו השקט והרגע, ותמאן לצאת כדבר בעלה.

כבר גלוי לפני מעל' כ"ת מה שכתב בתרומת הדשן סי' רט"ו על מי שנשא אשה במקום מולדתו והיה דעתו להשתקע שם, ואחר קצת שנים ירד מנכסיו ואינו יכול להתפרנס שם ורוצה ללכת לגור במקום אחר שכופין את אשתו ללכת אחריו, וממילא משתמע דהאי מקום אחר אפילו מדרך לכפר אמר, דאי מדרך לכרך באותה הארץ פשיטא שכופין ואפילו בלא אמתלא כל שמוציאה למקום השוה במנהגו. וא"כ בנדרן דירן כיון שאין הריחו מצוי לו ~~שם~~ וצריך לו להיות נודד ללחם איה, כל שכן שיכול להוציאה משם בולונייה ולהביאה פירארה אשר שתיהן בארץ אחת ושתייהן שוות וגם ניהן יפה זה כזה, ואעפ"י שהקארו (בית יוסף על טור אבן העזר, סי' ע"ה) כתב על דברי תרומת הדשן שאין דבריו נראין בעיניו, מכל מקום כיון שבולונייה היא כפופה תחת מלך ושרים המכבידים העול על היהודים יותר מן המקום הזה, וגם פה היהודים הם בני חורין בקיום תורת ה' יותר מן העיר ההוא. גם שם אין ספרים ללמוד בהם, והמקום הזה הוא מקום תורה, ליכא מאן דפליג שיכול לכופ' אותה. וכיוצא בזה כתב הריב"ש בתשובה סי' פ"ח שמי שנשא אשה והביאה לו לעירו ואח"כ הוכרח לצאת מן המקום ויקר מקרהו לסבת גזרה שבא למקום מולדתה ועמדו ~~שם~~ ימים ולא אתדר ליה שהרשות בידו להוציאה משם למקום אחר וסיים שם וכתב: וכ"ש שהמקום שהענתקת לקבוע דירתך שם הוא מקום תורה וחכמה יותר ממקום שאתם גרים ~~שם~~ עתה וקהלה גדולה ממנה כפלי כפלים, וקרוב להיות דומה למה שאמר בתוספתא מוציאין מעיר שרובה גוים לעיר שרובה ישראל ע"כ.

אף בנדרן דירן כיון שבמקום הזה יש כפלי כפלים יהודים ממה שיש שם וליכא ביטול תורה ליכא מאן דפליג שיכול להוציאה, ואם אינה רוצה לצאת דינה שתצא בלא כתובה ואפילו תוספת אין לה, וכדכתב הר"ן על ההיא רשלש ארצות לנישואין, אלא הנדונייה אית לה כי כן כתב שם המרדכי (כתובות פרק אחרון סי' ת"ז) בשם הר"ם נ"ע: גיל דנדונייה ונכסי מלוג ודאי אית לה אי איתנהו וכו' עד ונכסי צאן ברזל שהוא חייב באחריותן שקלה וחייב ליתן לה משלו.

וכבר ידעתי שכל זה גלוי לפני מעלתך רק הנני כתלמיד הנושא ונותן לפני רבו לעמוד על אמתות הדבר. ועתה למען ה' ולמען האיש הזה יהודה מקנדיאה

של הנהלת קהילת מנטובה, ולגלות כמו כן את המעמדות הסוציאליים השונים והשתתפותם בצרכי הצבור.

ולבסוף, אנו מוסיפים תעודה אחת שהיא אמנם רחוקה, ריחוק מקום וריחוק עניין, מן הגירוש, ומכל מקום נתנו לה מקום כאן, מפני שנעוצה היא בתעודה שניה שלמעלה, והד קלוש של גירוש שכ"ט נשמע בה לזוגים קשובות, כמו שנראה להלן. (תעודה ה')

לא נעלם ממני שחומר היסטורי חשוב מכמה צדדים שקוע בתעודות אלו. מניח אני לחוקרים צעירים ממני מקום להתגדר בו, לנצל את החומר ולהשקיעו לתוך בניניהם. מסתפק אני בהבלטת צד אחר, אף על פי שלפעמים קלוש הוא למאד, והיא הפצת אור על מסכת גירושים שאנו עוסקים בה כעת. מסלק אני את ידי משאר העושר ההיסטורי הננו בתעודות, ומכריז: כל הרוצה ליטול יבוא ויטול.

תעודה א'

מתוך קובץ שאלות ותשובות ר' אהרן פנצי, רובו בכתי' המחבר, שבידי. התשובה שאנו מפרסמים היא בסי' ט', ודנה בעניין יהודה איש קנדיאה מבולוניה שעבר לפירארה על מנת להשתקע שם, ואשתו מסרבת לצאת את בולוניה וללכת אחריו. ר' אהרן פנצי הרב מפירארה, מבקש את הרב מבולוניה שירכר על לב האשה שתלך לדור עם בעלה בפירארה; מדגיש הוא את כובד העול, בחומר וברוח, הרובץ על יהודי בולוניה המשועבדים לממשלת האפפיור לעומת הזכיות והתנאים הנוחים של יהודי פירארה תחת ממשלת הרוכוס מאיסטי.

אף על פי שהתשובה היא חסרת זמן, לא קשה להגביל את זמנה בקירוב. בקובץ שלנו נמצאים מכתבי סמיכה בשביל המחבר משנת שכ"ה, ושלוחים הם לאימולה, ועוד בי' מאיו שכ"ו אנו מוצאים את מחברנו חותם פסק דינו בעניין הגט של תמריפירושא באימולה (השווה. ביאור, זה יצא ראשונה, מנטובה שכ"ו). השיעור למעלה הוא איפוא סוף שנת שכ"ו, והשיעור למטה הוא זמן גירוש היהודים, תחלת שנת שכ"ט. גבול זמנה של התשובה הוא איפוא שכ"ו-שכ"ח בערך, ונוטה אני לקצה האחרון, היינו שכ"ח. כי כנראה לא עזב ר' אהרן פנצי את אימולה אלא ערב שנת הגירוש.

הרב מבולוניה אשר מחברנו פונה אליו יכול להיות אחד משני הרבנים שהיו שם בזמן הגירוש, והם ר' ישמעאל חנינא מוולמונטאנו, רבו של הרמ"ע מפאנו, ור' יצחק בר' יוסף ממוסיליצי אשר עוד בשנת שכ"ו חתם את פסק דינו בעניין הגט של תמריפירושא בבולוניה (מחברת. ביאור זה יצא ראשונה שכ"ו). שניהם עברו אחר כך לפירארה. עי' מורטארה מח"א עמ' 41, 67. תני-זצ"ל. עמ' 125, מס' ב-ג.

צורת החתימה, איש ריינו נמצאת יותר מעשר פעמים בקובץ שלנו, ומקיימת היא את דעתו של קאסוטו (אינציקלופדיה יודאיקה, כרך ו', עמ' 1011) שמחברנו היה מרגיוו (di Reggio) ולא מאריצו (d'Arezzo), השווה מורטארה, מח"א, עמ' 22, שמעון ברנשטיין, משירי ישראל באיטליה, תרצ"ט, עמ' קמ"ט).

אמת שבצידה של חתימה זו רווחת גם בקובץ צורה אחרת, והיא, אהרן יצ"ו בכמ' ישראל פנצי מארייו, או, אהרן פנצי מארייו, ותו לא. אולם בכל מקום שאנו מוצאים השם מארייו הרי הוא דבוק תמיד לפנצי, שם המשפחה, ולא לשמו העצמי של המחבר. מסתבר שהתאר מארייו בא להגביל את הענף של משפחת פנצי

הגירוש של שנת ש"ט. אף קינה אחת על הגירוש הזה לא הגיעה לירי, ועקבותיו בספרות העברית, מלבד לספריהם של ההיסטוריונים, עמק הבכא ושלשלת הקבלה, שעסקם בכך, בלתי ניכרים. תעודות אחדות המתייחסות למאורע זה נתפרסמו על ידי דוד קופמן (עי' גרץ-ש"פ, כרך ז', עמ' 271, הע' 3), אולם חסר בהן הזמן, ועל כן נשארו סתומות.

חשבתי איפוא לנכון לפרסם תעודות ובנותי תעודות אחדות שבידי שיש להן יחס מה לאותו הגירוש המהווה מפנה בחיי יהודי איטליה. והתעודות משלשה מינים הם:

א. שתי תעודות מוקדמות לגירוש שנה או שנתיים, אבל היודע לקרא בין השיטין מרגיש בהן את הזעזועים ואדיהמנוחה שתקפו את היהודים במדינת האפיפיור למראה צללי הגירוש שהלכו והתקרבו. מצד אחד אנו רואים יחידים יוצאים את ערי האפיפיור ונודדים למקומות יותר בטוחים, ויש שנדירה זו מפריעה את שלום הבית ומפרידה בין איש לאשתו. (תעודה א.)

מצד השני אנו רואים את הרבנים וראשי הקהילות רואנים למקומות קליטה חדשים שיהיו מזומנים על כל צרה שלא תבוא. שוקלים הם את האפשרויות של ישובים חדשים בשביל אלה שסכנת הגירוש מרחפת עליהם; מסלקים הם כל התקלות, חרמים ושבועות, שיש בהן כדי לעכב את הפליטים מלקבוע את מושבם באי אלו פינות נרחות שבעליהן היו מרוצים להכניסם. (תעודה ב.)

ב. מסוג אחר היא התעודה השלישית. התעודה הזאת היא מעצם שנת הגירוש, שנת ש"ט, כשורם הפליטים התחיל להשתפך לרומה ואנקונה, שני המרכזים שיצאו מכלל הגזירה. שתי הקהילות עמרו בפני שאלה חמורה, והיא איך לכלכל את המון המהגרים החדשים שהיה למעלה מכח קליטתן. ומובן שמוכרחות היו לפנות לשאר הקהילות שבאיטליה ולבקש השתתפותן בפעולת העזרה. והנה לפנינו תעודה המראה את תגובתה של קהילת מנטובה, – אחת הקהילות החשובות ביותר, בתורה וגדולה, אז באיטליה, – לקריאת העזרה של שתי הקהילות שבמדינת האפיפיור הנזכרות. (תעודה ג.)

ג. תעודה אחרת מעבירה אותנו לשילחי גירוש, לשנת של"ב. פייו החמישי, כידוע, לא הסתפק ביציאת היהודים את ארצו; הוא עקב אחר הפליטים שבקשו מפלט בתוך ערי המדינות השכנות, כגון הרוכסות של בית רובירי מאורבינו או הרוכסוס של בית מדיצי בטוסקאנה וכדומה. ועד כמה שירו של האפיפיור הגיעה, לא נח ולא שקט עד שהכריח את המושלים השכנים להקיא את המגורשים ממדינתם. והאומללים האלה מוכרחים היו לבקש ערי מקלט יותר בטוחות, מקום שאין ירו של האפיפיור והשפעתו מגעת, והיא תוגרמה. אבל דרך הים לתוגרמה היתה מלאה התחתים; שורדי ים, כמרי מאלטה, וסתם גולנים וחמסנים ארבו להם בדרך; מהם נמסרו לעבדות ומהם הושבו חזרה לאיטליה ופרנסתם ופדיונם היו מוטלים על הקהילות. ועוד הפעם מופיעה קהילת מנטובה מטכסת עצה איך לכלכל את קרבנות הגירוש האלה שנפלו בידי השורדים והחמסנים. (תעודה ד.)

אגב, תוך כדי סיפור דברים, ניתנה לנו הזדמנות לחדור לתוך המבנה המסובך

[ה]. גירוש יודיקה היה בלי פשע ובלי חטא וגם השררה היתה למגן ולא יכלה להושיעם כי הרשעים אשר בה ביום א' הרגו ושללו ובזזו ולא נשאר מכל השמר הזה כי אם נער א' קטן נקרא ליפמן שהמיר ונעשה אח"כ עירון וממנו באה בית הליפמאני כנראה בס' אוריגיני די נובילי שלהם.

[היה בשנת 1244 למנינים – וכנראה הוספה מאוחרת].

[ו]. בויניציאה צרות רבות סבבו ליהודים בתחלת ביאתם וזה שלא היו מניחים למול בניהם בעיר כי אם בסתר במיסטרי, עד שעירון בבקשת איש יודי רצוי ואוהב לו רצה שנגד התקנה ימול בנו בביתו והוא היה הסנק, ומשם והלאה נתנו הקיום ליהודים שיוכלו לשמור דתם וישבו בשלום בויניציאה עד היום הזה.

כל זה העתקתי מספר ישן. (הכתב הוא מתחילת המאה הי"ז או סוף המאה הט"ז).

(נוסף אחר כך בכתב מאוחר של סוף המאה הי"ח):

[ז]. בויניציאה בשנת התקל"ח ליצירה היום ר"ה היה בשנת 1777 למנינים בכ"ז לחודש שטמברי בצנטו – (בסינאטו) בחת הקיום ליהודים של ויניציאה שתפו עמם כל היהודים של מעמד השררה, (מכאן והילך נכתב על הגליון התחתון של „זאת התורה“, דף א', ע"א.) ועברו צ"ו קאפיטולי נגד כל היהודים של מעמד במשך עשרה שנים, והנוסח של הקאפיטולי – שלא יוכלו עוד היהודים לעשות שום סחורה אלא בבגדים מטולאים, ושלא יוכלו לעשות שום ארטי, ושלא יוכלו לגור בכפרים, וגרשו כל היהודים שבפריולי הדרים בכפרים שלא היו להם חצר היהודים וגם בכפרים אחרים. ועוד דברים אחרים מרורים כלענה נגד היהודים ואומרים שהסיבה של צרות ההם היתה בשביל היהודים של ויניציאה שעוררו מלחמות ביניהם בין הטיריארי (Terrieri – בני המדינה) ובין הפורצטיארי (Forestieri – בני חוץ לארץ), וע"ז ניבא ישעיהו הנביא (מ"ט, י"ז) מהרסיך ומחריביך ממך יצאו. הקב"ה ירחם עלינו ועל כל ישראל ויתן בלב השררה יר"ה לדרוש טובה לישראל אכי"ר.

פרק ב

תעודות אשר מצען ההיסטורי הוא גירוש היהודים ממדינת האפיפיור בשנת שכ"ט

גזרות האפיפיור פייו החמישי וגירוש היהודים ממדינתו בשנת שכ"ט מהיום, כאמור, גולת הכותרת של הפוליטיקה של פאולו הרביעי אשר הקמת מחיצה של ברזל בין היהודים והנוצרים מטרתה. אולם בעוד שגזרותיו ורדיפותיו של פאולו הרביעי מצאו הר חזק בספרות העברית של הזמן, עברה הספרות הזאת בשתיקה על גזרת

מתוך דרשתו של ר' שמואל לוי מורטירה המכילים ראשי פרקים של תנאי הקיום משנת תקל"ח.

בהתאם לתכניתה של ה"רשימה", והוא להגיד ליהודים את פשעם ברוב הגירושים, גם המשלים את הרשימה מסוף המאה הי"ח מקבל, כנראה, את דברי ה"אומרים" שסיבת הצרות של יהודי ויניציאה הם היהודים בעצמם, וקורא עליהם את הפסוק: "מהרסיך ומחריביך ממך יצאו". כתובת הדולמת את הרשימה כולה.

גוף ה"רשימה"

[א].* גירוש טרוויסו היה בשנת רל"ה, והסבה היתה הקנאה והשנאה ע"ד הרבית** והיהדות שעשו בימים ההם היהודים כמנהגיו הרע. ע"ז לבשו חימה וקצף הרשעים שהיו שם לבקש מהשררה דרך חן וחסד לגרש את היהודים ושע"כ יתנו במתנה המולינו וכל בית ריחים אשר על נהר סי"ל שהיו חזקה מהצבור. וראש הגולה היה כה"ר קלמן טרוויז אשר על שמו נקראת משפחת קאלימני.

[ב]. גירוש ויניצא, הקיום קבלו היהודים מנדיבי ויניצא נגד רצון העם. וספר אחד שהיה ראש לשועלים בגלחו את זקן איש צדיק יודי שחטו בתער, ואח"כ נבהלו נחפזו שאר עם הארץ עם הספר, ויהרגו כל מחמדי עין ויקראו בקול גדול כל הרוצה ליטול יטול, ולא נודע בבירור מה היה מהיהודים אשר נשארו, ורחוב אחד קראו רחוב היהודים עד היום הזה.

[ג]. גירוש ציוודאל, לא נודע מה היה אלא שהיה קדמון מכל קהילות איטליה וסעד מצבה אחת נמצא כתוב עליה קנ"ו לפרט אלף הרביעי.

[ד]. גירוש אורני היה שנת ש' על מרד איש יודי שבעת הרבר רצה לישא וליתן, והעלילו עליהם שהם הכניסו המגפה בעיר, וא' מהם הלך לקוסטנטינה ועלה לגדולה כנרפס בסוף משו"ע ח"מ בלי הגה"ה וזה לשונו: "לא! ברוך נעימות אתן אשר זיכני להשלים הספר הנכבד הזה י' בתמוז של"ד לפ"ק עת נמצא פה הארון והשר הרופא מובהק כמ"ר שלמה בכמ"ד נתן אשכנזי ז"ל מתושבי ק"ק אורני, שליח שלוח מקוסטנטינה מאת המלך הגדול סולטאן סלים יר"ה אל כבוד הדר מלכות השררה מוניצייה יר"ה, אשר עינינו ראו את אשר לא ראו אבותינו למיום סור יהודה מעל אפרים, את עוצם יקר וגדולה אשר עשו אליו השרים פה אתנו, לא נעשה כאלה לשום יודי מיום חרבן ב"ק (=בית קדשנו) תוב"ב".

*המספרים אינם בכתה"י, ונוספו על ידינו.

**המלים והמשפטים שמקבילים להם ב"סיפור" באים במפורות.

ג. גירוש ציויראל. מקביל למס' ד ב.סיפור. הקבלה מילולית מעידה על מקור משותף. אולם חסרון זכרוננו של ראש משפחת ציויראל מעיד שבעל ה"רשימה" לא ראה את ה"סיפור", כי לו היה משתמש במקור דומה ל"סיפור" לא היה נמנע מלהזכיר ראש משפחת ציויראל כשם שהוא מזכיר את ראש משפחת קאלימני במס' א. גם בעל צמח דור הנז' מזכיר בהקדמתו "בפרט משפחת ציויראל החשובה והגדולה ובה כמהר"ר אביגדור הגדול ברור" בצירה של משפחת קאלימני. ד. גירוש אוריני. מקביל למס' ה ב.סיפור. ההתחלה "שנת ש"ו" והציטאט בסוף מחתימת המרפס בשלחן ערוך, חשן המשפט, וינ' של"ד, מראה על מקור משותף. אי זכרונה של משפחת בילגראדו מורה שבעל ה"רשימה" לא ראה את ה"סיפור". אף על פי שבעל ה"סיפור" מספר מפי השמועה ששמע "מפי הזקן... זליקמן קוניאן", נראה שהיתה נפוצה גם רשימה בכתב על גירוש אוריני, אלא שלא היתה מפורטת למדי.

ה. גירוש יודיקה. מקביל למס' ז ב.סיפור. ההקבלה המילולית שבין ה"רשימה" וה"סיפור" פחותה היא כאן מאשר בשאר הסעיפים, וכמעט שאינה במציאות, ובכל זאת אפשר לראות עקבות של מקור משותף ביריעה על דבר מוצאו היהודי של ביתאב ליפומאנו שמקורה ב"גזע אצילים" (אוריגני די נובילי). הכתיב: יודיקה נראה עתיק מן הכתיב: גואיקה (ג'ודיקה?), אבל אין הברע בדבר.

ו. צרות ויניציאה. מקביל למס' ו ב.סיפור. ההקבלה המילולית בהתחלה מעידה על מקור משותף. אף על פי שבעל ה"סיפור" מרגיש שדברים אלה לא נכתבו בספר ושקבלם מפי השמועה, נראה שהכוונה על הפרטים איך היהודי "התחכם" לפתות את העירון שיתרצה להיות סנדק וכדומה (ואפילו אלה הרברים נכתבו לזכרון בירי יחיד סגולה). אבל רשימה קצרה המספרת את גוף העובדה נראה שהיתה נפוצה בכתב. הסוף ב"רשימה": וישבו בשלום בויניציאה עד היום הזה, יכול לשמש סמך, אם לא ראיה, להשערתנו שה"רשימה" נכתבה לפני שצ"ו שבה עברו על ויניציאה צרות רבות ורעות וסכנת הגירוש היתה מרחפת על הקהילה, כמסופר ב"סיפור" מס' ח. "ומאז", מודיענו ר' יהודה אריה מודינה בחיי יהודה, עמ' 54, "היו היהודים לבנו ולשנאה תחת היותם מתחילה אהובים לכל עד היום הזה".

ז. הסעיף הזה נוסף בכת"י מאוחר של סוף המאה הי"ח. דושה הוא את החולייה האחרונה בשלשלת הרדיפות והגירושים אשר ראשה היא בולת פאולו הרביעי עם גורותיה המחפירות שהוליכו לירי גירוש היהודים ממדינת האפיפיור בשנת שכ"ט. סופה של השלשלת הם תנאי ה"קיום" שקבלו היהודים מן השררה שבויניציאה בשנת תקל"ח (1777 1778). הקיום הזה הכיל כמעט כל ההגבלות המרכאות שבסעיפי הבולה של שנת שט"ו, וגלווה להן גזירת גירוש היהודים מכפרים ועיירות – רוגמת גזירת הגירוש של שנת שכ"ט. סופה של השלשלת נעוצה בראשה.

הרדיפות האחרונות של היהודים בויניציאה תוארו על ידי דר' בצלאל רות ב"השקפה הצרפתית", כרך 82 (1926), עמ' 411, ושם גם פרסם קטעים אחרים

ואילו ב"רשימה" כל חומר הדין הוטל על שכס היהודים. הקנאה והשנאה תולדות, הרבית והיהדות" של היהודים הן, וחסר נסיון כלשהוא ללמד עליהם זכות. מסתבר, ששומעים אנו הרו של מקור זר, וכמעט הייתי אומר הדעה של גזירת הגירוש משנת שכ"ט; כי בבולת פייס החמישי זו אשמת ה"יהדות" ו"כוכב הרבית אשר על ידה היהודים מוצצים את לשד הנוצרים" תופסים מקום בראש נימוקי הגירוש. בעל ה"רשימה" כאילו העביר את הנימוקים שמצא בגזרת הגירוש של שנת שכ"ט לגזרת גירוש טריויס. מובן מאליו שצדקת ההעברה הזאת תלויה בקביעות זמנו של גירוש טריויס. אם גירוש טריויס חל בתקופת הגירוש שהגבלנו למעלה, היינו בין 1569 ל-1597, ההעברה מוצדקת, אבל אם זמנו של גירוש טריויס מוקדם הרבה לתקופה זו – הרי ההעברה הוא אנאכרוניסמוס.

שנת הגירוש. למרות השנה המפורשת רל"ה (1475) ברשימתנו ששימשה מקור להערת ירא ב"סיפור", צדק המו"ל של ה"סיפור" שזמן מוקדם כזה אינו בא בחשבון. ולדעתי גם שנת רס"ט (1509) שקבע המו"ל מוקדמת היא יותר מראי מכמה טעמים. מוצא אני רמז ב"סיפור" שהגירוש מאוחר לשנת ש"ז (1547), שכן המחבר מלמד זכות על השררה כי עשתה זאת לתועלת היהודים, לבל יעמדו שם... נגר רצון העם... עד שיוכרחו לקום עליהם פתאום, כאשר עשו לפנינו בני ברישה ופריצי אסולו". משמע שפרעות אסולו קדמו לגירוש טריויס, ופרעות אסולו, כפי שמעיר לנכון המו"ל, חלו בשנת ש"ז. נוטה אני לתקן: שנת של"ה (או: שכ"ה) במקום רל"ה, היינו כשלשים (או כעשרים) שנה לאחר מקרה אסולו. השערותנו זאת נכונה ניתן לנו גם לזהות את "ראש הגולים", ר' קלמן טערויז. הוא אביו של "התלמיד ברוך בן לאיש חרוץ, מיהר לרוץ, לגדור הפרץ, לשירות הקהילה ההוללה כמה"ר שמחה קלמן טערויז נ"ע". (מתוך הקדמתו לספר מעשי ה' לר' אליעזר אשכנזי, וי' שמ"ג) ובאמת, עד כמה שיכולתי לקבוע, ר' שמחה קלמן טערויז הוא הראשון מבני קאלימיני הידועים לנו (עי' צמח דוד, לר' דוד פומיס, וי' שמ"ז, בהקדמתו העברית). וגם תוארי התהלה המיוחסים לו הולמים את "ראש הגולה" הנוכח ברשימתנו.

ואם ימצאו קושיים בדחיית זמן הגירוש לשנת של"ה, ההשערה היותר קרובה היא שצריך לתקן "שנת רצה" (1535), ו"צ" ב"ל" נתחלפה למעתיק, כי שתי האותיות דומות זו לזו בכתי האיתלקי של המאה הט"ז. (עי' מילואים בסוף)

ב. גירוש ויצניצא. השוואה עם ה"סיפור" מראה שתי מליצות ברשימה שאינן בסיפור: "וספר אחר שהיה ראש לשועלים", וכמו כן: "ויהרגו כל מחמדי עין". סימן שבעל ה"רשימה" לא קיצר את ה"סיפור", כי אם שאב ממקור אחר. מצד אחר, סמיכות המשפט "וקראו בקול גדול כל הרוצה ליטול יטול" למשפט "ויהרגו כל מחמדי עין", שאין לה מובן, מעידה על בעל ה"רשימה" שהעתיק ראשי פרקים מסיפור יותר מפורט ודילג על משפט נחוץ להבנת ראשי הפרקים. כי אין ספק שמקור ה"רשימה" הכיל את הפרט שב"סיפור", והוא שהמתנפלים לקחו את הממון והחפצים וזרקו החוצה, כי רק אז נבין את הכרוז: כל הרוצה ליטול יטול.

של המאה ה"ז, אלא שבעל ה"סיפור" הרחיב את המסגרת של הסיפור המקורי והכניס לתוכה שתי "צרות" של המאה ה"ז. ובאמת, בעצם תקופת הגירוש רשימת גירושים קדמונים וסיבתם היתה בה תועלת לא־מעטה. יכולה היתה לשמש הזהרה לקהילות שסכנת הגירוש רחפה עליהן להמנע מכל דבר שיכול לתת פתחון פה לעירונים לבקש מאת הממשלה גירוש היהודים. וכמו כן יכולה היתה לשמש הזהרה לפליטים שבהתנהגותם לא יביאו את הקהילה הפותחת להם שעריה בסכנת גירוש. ויש גם שא־אלה חוגים בעלי זכויות יתרות בין היהודים מצאו ברשימה כזו, המבלטת אשמתם של היהודים בגירוש, אמתלא לנעול דלתות קהילות בפני המגורשים. רמז לדבר, שבעל ה"סיפור" מזכיר 'חירי סגולה' לרוב קצינים ובעלי השפעה, אשר אצלם שמורים היו הרבה מן הסיפורים האלה. וגם יוסף הכהן בשעה שבא ללמד קטגוריה על יהודי אשכנז שאב ממקור דומה, היינו מרשימות או מסורת של משפחות מיוחסות, לרוב מיוצאי ספרד, שלא היתה דעתם נוחה מכניסת יהודי אשכנז.

הרעת נותנת שרשימות גירושים וגורמים כלכליים־חברתיים בצדם, שיכלו לספק צרכים שונים, נפוצו בתקופת הגירוש, ואחת מהן שימשה מקור ל"רשימה". וקרוב לשער שגם בעל ה"סיפור" מצא גם את החומר וגם את התפיסה, היינו אחריותם של היהודים בגירושים השונים, מן המוכן, וכל חידושו קיים, כנראה, בהרחבת המסגרת שזכרנו למעלה ובמוסר השכל שהוא מוסיף בסוף כל גירוש וגירוש; וגם זה לא בטוח, כי יכול היה למצוא גם את המוסר השכל מן המוכן. ומן הכלל אל הפרט. נפנה נא להשוות כל גירוש וגירוש שב"רשימה" עם המקביל לו ב"סיפור".

א. גירוש טריוויסו. כמעט כל מלה שב"רשימה" יש לה הקבלה ב"סיפור". כבר ביררנו למעלה שאין רשימתנו "קיצור" ה"סיפור". מצד אחר, מדברי בעל ה"סיפור": "אבל לא ידעתי בברור אם נטפלה לה סיבה אחרת, רק כפי מה שהגידו לי... היה על ענין הרבית...". יוצא שלא השתמש ברשימתנו האומרת בפירוש: "על דבר הרבית והיוהרות שעשו בימים ההם היהודים כמנהגנו הרע". אגב, זהו המשפט היחיד שאין דוגמתו ב"סיפור". מן הנחוץ איפוא להניח מקור משותף לשניהם, אלא שכל אחד ואחד השתמש בו באופן חפשי.

כראי לעמוד על הברל הגישה שבין ה"רשימה" ו"הסיפור". מסורת משותפת לשניהם, והוא שסבת הגירוש היו קנאה ושאָה. אולם בפירוש המסורת שתי נטיות מתרוצצות ב"סיפור", מצד אחד, הקנאה היא בשל הצלחתם של היהודים, והשנאה היא שנאת הרת מצד הגוים. האשם כולו רובץ איפוא על הגוים. כנגדה אנו מוצאים בסוף ה"סיפור" נטיה לשותף את היהודים באחריות הקנאה והשנאה, כי המה גרמו לזה, "מפני שהיו כל כך בעלי רבית עד שקצו בחייהם יושבי הארץ". ולמרות זאת, מרת הקטגוריה על הגוים מכרעת, כי אפילו במקום שאתה מוצא קטגוריה על היהודים ❧ אתה מוצא גם המתקת הדין בצידה, והוא "כי גם בני התושבים אשר שם, אף כי לא מבני ישראל המה, נעשה להם כהיתר דבר הרבית...".

את היהודים האשכנזים הוא מוסר לנו את המקור שממנו **שאב** את ידיעותיו, ומדגיש כי לא מלבו כתב מה שכתב, וכך אנו קוראים: „מפי מגידי אמת... כתבתי מה שכתבתי, כי לא מלב” (עמ' 139); „כאשר העיד אחר מיושבי פאביאה כתבתי עד הנה, כי לא מלב” (עמ' 143); „כאשר העיד עליו חיים הכהן בר' שמואל מאלסאנריאה כתבתי כל אלה, כי לא מלב” (עמ' 148). נראה כאילו רצה יוסף הכהן להרחיק מעליו האשמה שלבו הלך אחר „בלבולים” שהפיצו שונאי ישראל, ולפיכך מאשר הוא את דבריו בעדים כשרים.

כל זה עלול להפיץ מעט אור על סוג התעודות אשר ה„רשימה” וה„סיפור” משתיכים לו. יש לנו כאן עניין, כנראה, עם מאורעות ועובדות שאין מגלים אותם אלא לצנועים; רובם, כנראה, שמשו מקל חובלים בידי שונאי ישראל, ומפני זה נדונו לגניזה מאת ההיסטוריונים הרשמיים מבני עמנו, ולאידך גיסא, מוצאים להם קיום במקורות זרים. בין היהודים הסיפורים האלה נשתמרו ונמסרו מדור לדור רק בידי יחיד סגולה אשר השתמשו בהם לצרכיהם. שימת לב לצרכים אשר רשימה שלנו עלולה היתה לספק אפשר שתושיט לנו את המפתח למקור המשותף ל„רשימה” ול„סיפור”.

מימי הרינסנס התחילו ההיסטוריונים המעשיים, מעין מאכיאולי וגווציארדיני, לבקש פתרון לשאלות פוליטיות של זמנם במאורעות שבעבר; העבר לא נחשב לדבר מה שחלף ואינו, כי אם לדבר מה ההולך ומשפך, הולך ומתגלגל” בהווה, קובע את קצבו ואת מהלכו. מהדשהוא מן הגישה הזאת ניכר גם אצל סופרי ישראל; הם בקשו בעבר את הבבואה של ההווה ומפתח לפתרון שאלות הזמן. וראה, שנת שי"ח, עצם ממשלת הודון של האפיפיור פאולו הרביעי ושעת משבר היהודי איטליה, עוררה את ההיסטוריון יוסף הכהן לעבור ב„עמק הבכא” של העבר כדי למצוא את הפתרון למצוקת ההווה. לא לחנם פתח יוסף הכהן את ספרו בדברים אלה: „ספר עמק הבכא אשר חברתי אני יוסף הכהן... בשנת ה' אלפים שי"ח”. ואם אנו רואים רשימות וסיפורים של „גירושין” הולכים ומתחברים, הולכים ומתאספים, סימן הוא שצורך השעה הוא, והדעת נותנת שהמחברים והמאספים מקוים למצוא בחומר זה פתרון לשאלה העומדת במרכז המחשבה של יהודי איטליה. ההשערה איפוא קרובה כי ה„רשימה” וה„סיפור” שרשם נעוץ בתקופה שבה חרב הגירוש היתה מונחת על צווארן של כמה קהילות באיטליה. זמנה של תקופה זו הוא משנת שכ"ט (1569) – גירוש היהודים ממדינת האפיפיור – ועד שג' (1597) – גירוש היהודים ממדינת מילאנו –. קרמה לה תקופת הגיטו שחלה בין שט"ו (1555) – גזרת הבולה של פאולו הרביעי – ועד שכ"ט. במשך הזמן ההוא הוצאה אל הפועל גזירת הגיטו במדינת האפיפיור ורוב המדינות במרכז איטליה שעמדו תחת השפעתה של רומה. לאמתו של דבר, אין גזירת הגיטו אלא „גירוש” מקומי, גירוש משכונה לשכונה. והצעד מגירוש מקומי לגירוש כללי, יותר מקיף, היינו מעיר לעיר וממדינה למדינה, קטן הוא. ולפיכך, עד שלא שקעה תקופת הגיטו זרחה תקופת הגירוש שנמשכה יותר משלשים שנה.

מסתבר שה„רשימה” וה„סיפור” נולדו במול גירוש, זאת אומרת ברבע האחרון

מקור ל"סיפור". ובאמת, קשה לעמוד על טיבו של בעל ה"סיפור" ועל חלקו הוא בכרוניקה. כלום יש לו הזכות להיות נמנה בין ההיסטוריונים היוצרים, האוספים חומר היולי, עובדות ומאורעות, ובאוביקטיביות מרעית חותרים לחשוף את סבתם? כלום באמת עולה מחבר הכרוניקה בתפיסתו ההיסטורית על ההיסטוריון יוסף הכהן, היודע רק לצפות לנקמת אלהים בשונאי ישראל, בלשונו של מ"ל ה"סיפור"?

עד כמה שהיינו רוצים לראות את מחבר ה"סיפור" כהיסטוריון אשר אחריותו המדעית גברה על הפנייה הסגורית, הרי יש ב"רשימה" כדי להכחיש את מקוריותו של בעל הכרוניקה גם בתפיסתו האוביקטיבית, התולה את הגירוסים כתנאים כלכליים כביכול, עסק הרבית. כי ההסברה הזאת שהיהודים בעצמם, בעסקיהם ובהתנהגותם הרעה עם הגוים, גרמו לגירוסים שונים מודגשת ב"רשימה" ביתר תוקף מאשר ב"סיפור", כמו שנראה להלן. לאמתו של דבר, אין בזה משום חידוש, ואין אנו צריכים לבקש מקורה העיקרי של התפיסה הזאת ב"שבט יהודה" או באיזה מקור ספרותי אחר. מנהיגי הקהילות ורבניה ידעו מפי הנסיון שמעשי עול ועריצות מצד אחרים מתקפי היהודים, ביחוד מלוי ברבית, מפיחים את זיק השנאה לכלל ישראל וגורמים לגירושן של קהילות שלמות. דוגמה בולטת יש למצוא בפסק אחד נגד שני תקפים כאלה במצידאטה, האומר: "וכן מאסו בהתראה אשר התרו בהם הקהילות ואמרו להם, ראו כי אתם נותנים חרב ביד שונאינו להרגנו ולגרש אותנו מן הארץ, לפי שכל הצבור מלמרקא קמים וצועקים כנגדיכם, ולא עליכם בלבד פוצים פה ומצפצפים אלא אפילו כנגד כל היהודים קמים וצועקים הטעיות והאונאות אשר אתם עושים. הזהרו בכם ולא תעשו עוד הדברים האלה. וגם העירונים, הפקידים והשלטונים והרורשים כולם פה אחד צועקים כנגדנו וכנגדם..." (הובא במאמרי "הועד הכללי באיטליה..." "התקופה כרך לב-לג (תש"ח), עמ' 652). הדברים האלה נכתבו בשנת רע"ב, כמאה וחמישים שנה לפני הכרוניקה והדעה הזאת רווחת היתה כל המאה הט"ז והי"ז. ואפילו אם היו היהודים משתדלים להסיח דעתם מן העניין, דאגו הגוים, וביותר המשומדים, לשוות לגנר עיניהם תמיד את עסק הרבית וחרב הגירוש כרוכים יחד.

היתכן שיוסף הכהן לא ידע את הסוד הגלוי הזה? עובדה היא שגם אצל יוסף הכהן לא תחסרנה דוגמאות שבהן הוא זוקף את הקלקלה על חשבון היהודים. במקום אחד הוא כותב: "ומריבות שנים אשכנזים עברים נצים הסבו כל אלה" (עמק הבכא, עמ' 138 וכו'); במקום אחר אנו קוראים: "ורוע לב שני אשכנזים עברים היושבים ראשונה בפאביאה הסב כל אלה" (שם, עמ' 143); הכתוב השלישי אומר: "ורשעת אשכנזי אחד עברי איש הבליעל מהיושבים ראשונה בפאביאה אשר יהודה בן יעקב מורילו שמו הסב כל אלה אשר בקש לגרש את יתר היהודים הגרים אתם מפאביה" (שם, עמ' 148). בכל המקומות האלה מרגיש יוסף הכהן שיהודי אשכנז, ברוע לבם ורוע התנהגותם, גרמו לקלקול היחסים בין היהודים וסביבתם באיטליה. יחס יהודי איטליה אז, ביחוד המיוחסים שבהם ממוצא ספרדי, ליהודי אשכנז דומה ליחסם של האיטלקים בעלי הטעם היפה להאשכנזים הברברים, מחוסרינימוס. וראה, בכל מקום שיוסף הכהן מאשים

פרקים ממסכת גירושין

מאת

ישעיה זנה – סינסינטי

פרק ■

רשימת גירושין

לפני ט"ו שנים בערך, בהיותי עוסק בסידור ספריית הקהילה בפירארה, ^א לירי טופס של שלשלת הקבלה, הוצאה ראשונה, וינ' שמ"ז, מעזבונו של רב הקהילה, יוסף ירא ז"ל. הטופס היה מכורך יחד עם המחברת, וזאת התורה – סדר הערכה – מנטובה שמ"ח, ועל המקום החלק בדף האחרון של שלשלת הקבלה ועל הגליון התחתון בעמ' הראשון של זאת התורה נמצאה רשימה היסטורית של גירוש יהודים מערי איטליה אחרות בכתב יד. העתקתי לעצמי הרשימה הזאת (מכאן והילך נקראנה "רשימה" סתם) כדי להשתמש בה לעת מצוא. כעת שכרניקה מפורטת של הגירושין האלה הולכת ומתפרסמת בכרך זה של ה"שנתון" בשם "ספור הצרות שעברו באיטליה" (מכאן והילך נקראנה בשם "סיפור" סתם), אמרתי שאין לי שעת הכושר טובה מזו לפרסם את ה"רשימה" ולהסמיכה ל"סיפור". כי אין ספק בדבר שה"רשימה" ו"הסיפור" זקוקים זה לזה, לכל הפחות באופן בלתי ישר. אולם לא קל הוא לקבוע את יחס התלות שביניהם.

מצב הדברים כך הוא. שש מתשע הצרות, גירוש ואימת גירוש, המסופרות ב"סיפור", רשומות ב"רשימה"; חסרים ב"רשימה" המספרים הבאים: ז (גירוש פילטרי), ח-ט (צרות וניציאה משנת שצ"ו והילך). בנוגע לכמות התוכן במספרים המשותפים, יחס ה"רשימה" ל"סיפור" הוא כיחס "לוח עניינים מפורט" לגוף הספר. ה"רשימה" וה"סיפור" לרוב מקבילים זה לזה ^א בלשון ובסגנון. בהשקפה הראשונה חשבתי שכל זה מורה שאין ה"רשימה" אלא קיצור ה"סיפור". אולם התבוננות כל-שהיא רייה לגלות סימנים המכחישים את ההשערה הזאת.

כתב ה"רשימה", כפי שרשמתי לעצמי בשעת ההעתקה, הוא כתב איטלקי של המאה הי"ז, והמרשים מודיע בסוף: "כל זה העתקתי מספר ישן כתוב יד". המקור שממנו העתיק הסופר את ה"רשימה" לא יאחר אפוא לתחילת המאה הי"ז, ואם נקבל את דעתו של המו"ל שה"סיפור" נתחבר בשנת ת"ך בערך, תהיה ה"רשימה" מוקדמת כיוכל שנים. עדות אחרת הוא החסרון של שתי הצרות (מס' ח' וט') ב"רשימה" שקרו בוניציאה משנת שצ"ו והילך; סימן הוא שה"רשימה" קדמה לשנת שצ"ו. מצד אחר, אין זאת אומרת שה"רשימה", או מקורה ה"ספר ישן", שימשה

על מה שעבר, ⁷⁵ ותכף ומיד הרת ניתנה, שיתפסו כל ראשי העדה מהועד קטן, ⁷⁶ ושיושמו בבית הסוהר עד יצא לאור משפטם. הדבר יצא מפי המלכות ויעשו כן. בית הועד היה בית הסוהר אל ראשי העדה, ויהיו ימים במשמר, ברצות מעלת השרים ששייבו אחור דרכו האיש ההוא עם כל בני ביתו, אל מקום אשר היה שם אהלו בתחילה.

לא זזו משם כי אם בהוצאות רבות, וכאמצעות אוהבים גדולים קרובים למלכות אשר דברו טוב עליהם אל השררה, אבל בין כך עת צרה היתה ליעקב, בהיות שלא היו מוצאים מי שידבר בזכותם, וכנראה לעורכי הדינים שלא היה מן הראוי להליץ בעד היהודים, וללמד זכות נגרם בדבר נוגע אל דתם.

⁷⁵ הכוונה, ודאי, לעובדה שבויניציה חזרו ליהדותם בפומבי אנוסים רבים מפורטוגאל.

⁷⁶ כך נקרא הוועד-הפועל של הקהילה בכמה ערים באיטליה.

ויפה בעיני השרים, ויתנהו שלוחים להם, ובעין בעין יפה קבלוהו, המה ראו כן תמרו על חכמתו ויפי מליצתו, אשר על כן לא השיבו פניו ריקם, ובעין החמלה והחנינה הניעו רחמי השרים על עם ה' ⁷⁰ תהלה לאל.

והחוט המשולש ממזכי הרבים היה כמהה"ר ישראל קונילייאנו וצ"ל, מן השלשה הכי נכבד, בן ביתו של השר זטפסר סי' מרקו יוסטיניאנו ⁷¹ מחסידי אומות העולם, אשר בזיעת אפו הגדיל לעשות עמו השתדלות נמרץ לעם אלהי אברהם. ובעקבות הרועים הנאמנים האלו יצאו האנשים אשר נגע אלהים בלבבם להשתדל בעד עמם, כי עת צרה ליעקב וממנה הושעו, ויתן ה' אותם לרחמים לפני מעלת השררה, והשיבו אחור דרכם, ולא דברו עוד בענין הגרוש, שכמעט חס ושלום נשארה ⁷² הגזירה והתקנה בין בעלי העצה לגרשם, לולי ה' שהיה למו, ועזרם על ידי האנשים השלמים ההם. אבל קודם לכן צרות רבות סבבום, ויהיו חיים תלואים מנגד, ופחדו לילה ויומם. ברוך הגומל לחייבים טובות, אשר גמלם טוב, אמן.

[ט]. וסיפור על יהודי שהתנצר בוויניציה וחזר ליהדותו

ואת ועוד אחרת צרה וצוקה נטפלה להם בימים מועטים, ⁷³ שנת ... שיצא מן הכלל אחד מבני עמנו ואחר כך רצה לחזור בו ולשוב מדרכו הרעה, ויקם לברוח מוויניציאה, וימצא אניה באה מתוגרמה, ויתן שכרה וירד בה ⁷⁴ לבא עמם עם אשתו ובניו שלא התנצרו, ותהם כל העיר שהיהודים הבריחוהו, להיותו איש ידוע ניכר בין העמים, אז הלשינו עליהם לפני השרים, איך הבריחו יהודי אחד שהתנצר, לחזור אל דתו עם כל בני ביתו, שהם גם כן היה רצונם להתנצר, ושעניניהם רואות בכל יום מעשים אשר לא ייעשו עושים היהודים, הבאישו את ריחם לעיני העמים.

אז עלה עשן באפם של השרים, להיות היהודים אצלם כבר בחזקת פסלות

⁷⁰ הכוונה לספר הנזכר בהערה הקודמת. רק הודות לסיפורנו זה נודעה לנו הסיבה הכלת-ראמצעית שהניעה את ר' שמחה לוצאטו לחבר את ספרו האפולוגטי. עיין במבוא הביאוגראפי הנ"ל שלי.

⁷¹ לא הצלחתי לזהות לא את יוסטיניאן ולא את ישראל קונילייאנו. כל האנשים נושאי השם הזה הידועים לי אינם מתאימים מבחינת זמנם למסופר כאן, אם לא נניח לנבי אחדים מהם אריכות ימים בלתי רגילה.

⁷² הוחלטה.

⁷³ סיפור זה נמצא בכתב היד אחרי הסיפור על המאורעות משנת 1636, ויש לכן להניח שהמאורע המסופר בו קרה קרוב לזמן זה.

⁷⁴ על מקרה דומה, ממש מאותו הזמן, בוויניציה, עיין במאמרו של ססיל רות Forced baptisms in Italy, שנרפס ב-JQR, סדרה חדשה, כרך 27, עמוד 120 והלאה. אין גם לדחות לזמרי את האפשרות, שהסיפור שלנו מתחסם ממש למאורע המוזכר על ידי רות, שם. ההבדל בפרטים בא אולי מתוך חוסר ידיעה. אנו רואים, שגם השנה המדויקת אינה ידועה כבר למחברנו.

חפצה, ועברתם שמרה על היהודים שהיו סיבה על זה, לגלות דברים שלא נתנו להוציא מן השפה לחוץ.

אשר על כן גורשו גם מהיהודים כמה בתים, הם וקרוביהם אשר לא היה להם לא פשע ולא חטאת במעשה הרע, כה עשו להם השרים בחרות אפס בם, להראות כי משוא פנים אין ברבר, והדין דין אמת לכל אומה ולשון.

אז גלו נעו ונודו מארץ מולדתם כמה בעלי בתים, מטעם המלך וזקניו ירדו לשערים עם ה', לגור באשר ימצאו, ורובם ככולם הלכו לפירארה. בראש גולים היה הרב החסיד העניו כמהר"ר ליב לוניגו⁶⁵ ז"ל, אשר להיותו מהקדושים אף כי לא פעל עולה בדרכיו, הלך לדור בפירארה, וכאור בוקר זרח שמשו של אותו צדיק שם כמה שנים, חכמתו עמדה לו באותו פרק באותו מקום, שהעמידוהו למורה צדק ורב הקהל בהספקה ראויה, ושם ישב הוא ואחיו בקרב ישראל עם חן וכבוד.

לא וזו ממקומם סיבות הנזכרות והנטפלות אליהן, אשר בללן אזי עבר על נפש השרים ובעלי העצה, בפרט של שרי עשרות⁶⁶, ובראשם הרוכוס פראנציסקו אריצי⁶⁷, לגרש כל היהודים מהמעמד, לולי ה' שהיה למו לעזרם ולסומכם, העמיד עליהם שלשה רועים נאמנים, אשר בחכמתם שכנו חמת המלך והשרים. אחד היה החכם הכולל, האלוף התורני הרופא המובהק כמהר"ר שמואל מילרול⁶⁸ נר"ו, אשר שלחו קהלת ויניצייה לארץ בני עמו ק"ק וירונה לקרא לו לאמר, שבבקשה ממנו יבא להתחנן לפני מעלת כבוד הרוכוס אריצי הנ"ל, להיותו נאמן בית, ושמואל בקוראי שמו, אלוף נעוריו בעת מלחמה, שלמען רחמיו וחסריו ישכך זעמו ויירב על לב השרים ברבר הגרוש, וכנראה דורש בטובת עמו, מעלת הרב הנ"ל הגדיל לעשות פרי וזיכה את הרבים בבקשתו.

ואחריו האיר נתיב ברוב חכמה ודעת, החייר הגדול, הגאון המופלא, כמהר"ר שמחה לוצאטו⁶⁹, ראש ישיבה של ק"ק ויניצייה, אשר איזן חיקר תיקון ספר אחד בלשון לעז יפה המליצה, הוא עשהו ויכוננהו בענייני היהודים, מקובל וטוב

⁶⁵ Lonigo. עיין עליו בתולדות גדולי ישראל לניפיצירונדי, עמוד 126. גירונדי כותב, שכנראה הלך ר' ליב לוניגו מפירארה לוניצייה, אולם פה אנו רואים שהדבר היה להיפך. גם הידיעות על מעמדו החשוב של ר' ליב לוניגו בפירארה המובאות כאן על ידי מחברנו מתאשרות ממקורות אחרים. עיין אצל ניפיצירונדי, שם.

⁶⁶ Consiglio dei Dieci.

⁶⁷ Francesco Erizzo, היה דוג' בתקופה 1631-1640.

⁶⁸ ר' שמואל מילדולה נזכר לראשונה בפנקס קהילת וירונה בשנת 1616 (עיין אצל י. זנה, אבני בנין לתולדות היהודים בוירונה, תרפ"ט, סדרה חדשה, שנה ג', ירושלים תרצ"ח, עמוד 14), ואילו באמצע המאה השבע עשרה אנו מוצאים אותו במאנטובה (עיין אצל זנה, שם, וברעת קדושים, חלק פסק החרם, עמוד 80). מחברנו מספר לנו איפוא, שבחקופה שצ"ז-שצ"ז הוא היה עדין בוירונה. הדוג' אריצו היה מפקד המבצר בוירונה בשנת 1620, ואז ודאי נוצרה ידירותם.

⁶⁹ עיין עליו במבוא הביאוגראפי שלי להוצאה העברית של חיבורו, מאמר על מצב היהודים, העומד להופיע בירושלים.

ואם אין ראיה לדבר זכר לדבר. בספר כתב יד נקרא אוריג'יני של בתי הנובילי, נמצא כתוב, שבית ליפימאני באה מזרע היהודים, וכן הורו ולא בוש ⁶³ הם פעמים רבות, ביורעם כי יחס היהודי נכבד בעמו, כמכיר את מקומו תולדתו ומשפחתו, היותו מבני מלכים וראוי למלוכה. צא ולמד בספר שבט יהודה, בסיפור החכם טומאסו עם המלך אלפונסו.⁶² שים עינך עליו, וייטב לבך.

[ח]. [סכנת גירוש מויניציה בשנת שצ"ו]⁶³

בשנת חמשת אלפים שצ"ו צרות רבות ורעות עברו על ק"ק ויניציה, וכמעט נגזר עליהם גרוש כללי מכל המלכות ממעמד השררה, ובפרט עיר ויניציה וערי הארץ סביב. והסיבה היתה שקמו אנשים בני בליעל, וידיחו את יושבי עירם להיות ידם במעל בנבכה גדולה שנעשת לסוחר אחד, ויהיו יחידו באגודה אחת, ואחר כך נתפרדה חבילת אהבתם, ונועצו כל אחד לגלות מסתורין של חברו כרי לנקות את עצמו, ויגלו בסוד שיח⁶⁴ אל המשפט מוצא הגניבה ומקומה, שלל גרול מאוד, ויבוקש הדבר וימצא אשר שמו בכליהם, ואשר היתה ידם במעל להיות חולקים עם גנב, מהם ברחו, מהם תפשו, שמו בבית האסורים, עד שהבאישו את ריהנו בעיני העמים במאד מאד.

ולא זו בלבד עשו כלה, כי גם מרעה אל רעה יצאו, וכרי להציל ממות נפשם מלבם הוציאו מלין לתת זכרונות אל השררה, מדברים כמוסים סתומים וחתומים, וכל הקודם זכר, והגיד על דבר המשפט, איך השרים ושופטי ארץ, אשר בידם נתלו עלילות מצעדי גבר לוקחי שוחד היו, על מכרם בכסף צדיק באמצעות אוהבים פרטיים מבני ביתם, ואיש ואחיו ילכו אל הנערה, חשוקת השר השופט, למען חלל את עין המשפט, להצדיק רשע ולהרשיע צדיק, הרחיבו פיהם כל כך בראיות מוכיחות החטאים האלה בנפשותם, עד שנגעו בכבוד השררה, ותגלה רעתם בקהל אצל העם, ומפני כבודם הוצרכו בשביל כך לגרש מהמלכות כמה בתי נדיבים, היינו נובילי, הם ונשיהם ובניהם וטפם, להראות כי בתעלוליהם נפשם לא

⁶² הכוונה לדברי טומאס אל אלפונסו, בויכוח (מהדורת שוחט, עמוד ל"ד): "... שכל היהודים אשר במלכותך הם מזרע מלוכה..."

⁶³ על המקרה המסופר כאן יש לנו גם דין וחשבון שני, מפי ר' יהודה אריה מדינא, באבטוביאוגראפיה שלו, חיי יהודה, קיוב תרע"ב, עמוד 84 והלאה. ר' יהודה אריה מדינא מספר לנו בפרוטרוט על האנשים שהיו קשורים במעשה הגניבה והשוחד ועל גורלם, ואילו מחברנו מספר לנו על צרותיה של הקהילה בכללותה ועל סכנת גרוש כללי מכל המלכות שאיימה על היהודים, דבר שלא היה ידוע לנו לפני כן. לענין זה מתכוונים גם דבריו של ר' יהודה אריה מדינא כחשובתו על הצחק (פחד יצחק, אות ח' דף נ"ה ע"ב), שנכתבה בשנת שצ"ו: "... צרה באה על הצבור כממנום אשר לא נהיתה מכמה שנים...". אני משער שלענין זה מתחסמים גם דבריו של ר' עזריה פיגו ב, ביניה לעתים' דרוש ע' (הוצאת וורשה 1866 דף ק"י ע"ב): "... ובועותינו בשנה זו ראינו כמה נחמט ממנו של ישראל כמה וכמה הוצאות, הפסדות ונוקים השתרגו עליו על צוארי יחיד ועשירי עמו..."

⁶⁴ בחשאי, בסתר.

12. גוירת ג'ואיקה,⁵⁸ אי קטנה תוך עיר ויניצייה

לשמע און שמעתי, שם בעיר הגדולה ויניצייה, מטרופולין של השררה⁵⁹ יר"ה, עברו על עם ה' רעות רבות וצרות, ובפרט שלא היו רוצים שהיהודים ידורו בתוך העיר. ויהי מושבם מקרם ג'ואיקה, אי קטנה, הרחק כמטחי קשת מעיר ויניצייה שמה לפנים נקרא ג'וראייקה, על שם היהודים הדרים שם, מעין דוגמא של טלדו, שמאז נקראה בשם טוליטולא וזכר לטלמול שקבלו היהודים בבואם לספרד (כאשר כתב השר אברבנאל).⁶⁰ שם ג'וראייקה ישבו ימים מה בעושר וכבוד, ויקאו בם פלשתים ופה לסטים פערו למאר, הבה נתחכמה להם, לקחת את ממונם. ויפלו עליהם פתאום, ויהרגו אותם מער ועד זקן, טף ונשים ביום אחד ושללם לבז, לא נותר מהם איש, כי אם נער קטן מבני הנדיבים נקרא בלשון אשכנז ליפמן, אשר נחבא אל הכלים.

ובעלי ויניצייה כשמעם התעצבו על היהודים, ויחר להם מאד על הקמים עליהם, כי נבלה עשו, וילכו אל ג'וראייקה לראות איכה היתה הרעה הגדולה הזאת נגר הדת המדינית, וכן לא יעשה. ויראו והנה אין שם איש וקול אדם, כי אם הנער הקטן הנל, והמחנה כאשר היא מלאה בגדים וכלים עושר וכבוד. ויתנו אל לבם לפקח על הנער הנשאר ולחוס ולחמול עליו, אך בואת יאותו האנשים, שהנער ימיר רתו, ואחר כך להשיאו אשה מנשי בנות הנדיבים, ובכן חילם ורכושם של היהודים אליהם יהיה, וילכו משם ויעשו כן כאשר דברו.

משם יצאה בית הנדיבים ויועצי ארץ סיניורי ליפמאני⁶¹ על הנער ליפמן אשר התחתן בם ויהי להם לבן יורש עצר, עושר מופלג, מהאומללים הנהרגים.

Giudecca⁵⁸, אי ארוך צד הסוגר על ויניצייה מצד דרום, נקרא לפנים Spinalunga ושימש מקום מושבם הקדום ביותר של היהודים בוויניצייה. עיין בספרו של ססיל רות, Venice, עמוד 9 והלאה. לסיפור של מחברנו אין אישור משום מקור אחר, והוא אחד הסיפורים האנטיים, על תולדות היהודים בוויניצייה, שיש בהם נרעין היסטוריות. סיפור זה בא, כנראה, להסביר את תעלומת חיסולו של הישוב היהודי בג'ורדיקה, שמסיבותיו אינן ידועות. וכדאי להעיר על חידוש גדול שמחברנו מספר לנו: שראשוני המתיישבים היהודים על הג'ורדיקה היו יהודים אשכנזים, בשעה שער כה מקובל, כי היהודים הראשונים בוויניצייה היו סוחרים מארצות הליואנטה, והג'ורדיקה שימשה להם מקום מושב. עיין אצל רות, שם, עמודים 136 ו-137. הממשלה הוויניציאנית נקראת תמיד במקורות העבריים: השררה, תרגום התואר האיטלקי הרשמי שלה: Dominante (Serenissima).

⁶⁰ לא הצלחתי למצא דברים אלה בכתבי דון יצחק.

⁶¹ Signori Lippomani. משפחת האצילים Lippomani מוצאה למעשה מנירופונטי ומשם היא באה במאה העשירית לוויניצייה. עיין בערך המתאים באינציקלופדיה האיטלקית. הסיפור על מוצאה היהודי של משפחת ליפמאני יש בו, כנראה, נרעין של אמת. זלני קאסל במאמרו Jüdische Geschichte באינציקלופדיה של ארש וגרובר, מחלקה שניה, כרך 27, עמוד 159 מספר, שואננייל בספרו Der adriatische Löw, אלטרודוף 1704, עמוד 82 כותב, שהדבר בטוח כי משפחת האצילים ליפמאני, שנרשמה בשנת 1381 בספר הזהב ושל האצילים בוויניצייה, מוצאה מיהודי מומר ששמו ליפמאן. לצערי לא יכולתי להשיג את הספר הזכר של ואנוויל.

10. [איסור ברית מילה בויניציה וביטולו]⁵³

שמעתי מפי מגידי אמת, איך צרות רבות סבבום אל היהודים משנים קדמוניות, בתחילת ביאתם לרור בויניציה, וזה שלא היו מניחים אותם למול בניהם בעיר, כי אם בסתר חוץ מהעיר, בכרך קטן נקרא מיסטרי, החוק מויניציה חמשה מילין. והיה היום, נולד בן זכר לאחר מטובי העיר, ויתחכם כדת מה לעשות לבטל הגזירה, ובריעה ובינה והשכל, עשה בעל ברית, היינו סנדיק, לאחר מאוהביו מן הנריבים (נובילי),⁵⁴ אף על פי שלא היה מן היהודים, והוא היה מוטל על ערש דוי, חולה מחולי הפוראגרה,⁵⁵ לא היה יכול ללכת אנה ואנה, ובשמעו חדוש גדול כזה ששו בני מעיו, ויאמר בלבו זה עת לשחוק.

ויקרא ליהודי ויאמר לו: לך איפוא מה אעשה בני, כי שמחתי בפעלך במעשה יריך לכבדני בחדוש זה, ואיני יכול לבא אתך להיות בשמחתך, כי חולה אני. אז היהודי, בראותו כי ~~הוא~~ חן בעיניו, התחכם להשיב תשובה שלימה, ויען ויאמר לו: ומה יהיה לאדם גדול בדרו כמדהו, אם יחזיק הנער על ברכיו ולמולו בעיר ויניציה? מי יאמר לו מה תעשה? כי שמך נקרא על עירך ועל עמך.

אז נתרצה העירון שימולו הנער בביתו, כדי להחזיקו על ברכיו⁵⁶ להיות אצלו דבר חדוש, ולא היה שום פוצה פה ומצפץ נגדו. משם והלאה השתדלו באמצעות העירון שתבטל הגזירה, ונתבטלה.

דברים אלו לא נכתבו על ספר, ולא שופם עין איה מקום כבודם. אבל מפי השמועה שמעתי, שהם וכיוצא בהם, בכלל דברים שבעל פה, נכתבו לזכרון מיד יחירי סגולה, והנם למשמרת בבית הקצינים בני סאראוואל⁵⁷ יצ"ו, ולא ראיתם עד הנה. בקשם אולי חמצאם.

⁵³ מחברנו מספר לנו כאן על האיסור לקיים בויניציה העיר טכס של ברית מילה וההכרח לקיימו במיסטרי (Mestre) הסמוכה. על קיומו של איסור כזה לא ידוע לנו. הנרעין ההיסטורי של הסיפור מתיחס לתקופה שמלפני 1509, כאשר יהודי ויניציה היו באמת נאלצים לגור במיסטרי, העיר הסמוכה ביותר לבירה על היבשת האיטלקית.

⁵⁴ Nobili, האצילים.

⁵⁵ מחלת הצנית.

⁵⁶ בעית השתתפותם האקטיבית של בלתי יהודים בטכס ברית המילה נידונה הרבה פעמים בספרות הרבנית. על מקרה של מסירת סנדקאות לנוצרי בשנת 1484 בקאסטרו'ובאני בסיציליה מסופר לנו בספר L'Ebraismo della Sicilia לג'ובאני די ג'ובאני, פאלירמו 1748, עמוד 341.

⁵⁷ Saraval. אחת המשפחות החשובות ביותר בויניציה ובאיטליה הצפונית-מזרחית בכלל, שהקימה מקרבה רבנים, עסקנים וסופרים.

אז יצא הקצף מלפני ארנוי הארץ, לגרש משם היהודים, עד שהלכו למו המגורשים בפחי נפש, נעים ונרים בכפרים אחת הנה ואחת הנה, משם נפוצו במדינת פר יול, ⁴⁸ לגור באשר ימצאו. היה אות [אור ?] במושבותם הכבודה והחשובה בית הקצינים בילגראדו למשפחתם לבית אבותם, אשר יצאה מגרוש זה, והלכה לגור בכרך הנ"ל, ⁴⁹ ועל שמו נקראו כל בני ביתם. זכרון קצת לאמתת ספורי זה, שהיו יהודים בעיר אודיני קהל נכבד, קום קרא שתי שורות בסוף ספר שולחן ערוך קטן בלי הגהות ⁵⁰ חלק חושן משפט, אלה דבריו:

לאל ברוך נעימות אתו, אשר זיכני להשלים ספר הנכבד הזה, י' בתמוז של"ד לפ"ק, עת נמצא פה הארון והשר הרופא המובהק כמ"ר שלמה בכמ"ר נתן אשכנזי ⁵¹ ז"ל מתושבי ק"ק אודיני, שליח שלוח מקוסטאנטינה, מאת המלך הגדול סולטאן סלים אל כבוד הדר מלכות השררה מוניצייה יר"ה, אשר עינינו ראו את אשר לא ראו אבותינו למיום סור יהודא מעל אפרים, את עוצם יקר וגדולה, אשר עשו אליו השרים פה אתנו, לא נעשה כאלה לאיש עברי מיום חרבן בית קרשנו".

ובזכרון נשמות של ק"ק אשכנזים, ⁵² שמוזכרים שבת קודם שבועות ותשעה באב, הזכירו גם כן קהל זה. אולי היה שם איוז גזירה ולפי שלא ידעתיא איני כותב אותה.

ואם יש לך אדם שממונו חביב עליו יותר מגופו, צא תאמר לו, שאל יכנים עצמו בסכנה במקום שיש בו נזק לרבים, בשביל תועלת עצמו, כי היא לא תצלח. חטא ישראל בדבר עכן, ולא כתיב חטא עכן, קל וחומר במקום שיש בו חלול ה' מבעלי ריבנו המדברים עלינו תועה, מרעה אל רעה, על כל דבר פשע, מלבד כי האנשים האלה חוטאים בנפשותם, להיותם מתחייבים בנפשם לאהבת רכושם, זה דרכם כסל למו.

⁴⁸ עובדה היא שהיהודים ישבו בהרבה ערים ועיירות קטנות במחוז פריאולי, אולם סיפורו של מחברנו על התחלת הישוב הזה אינו נכון. יהודים היו בכמה וכמה ערים קטנות במחוז זה תקופה ארוכה לפני גירוש אודיני.

⁴⁹ משפחת Belgrado היתה אחת המשפחות המכובדות ביותר בקהילת ויניציה במאה ה'י'. הכרך הנ"ל, היינו Belgrado, הוא כפר במרחק 30 קילומטר מאודיני. הסיפור של מחברנו בדבר היסוד לשם משפחה זה מתקבל על הדעת. היו כמה וכמה משפחות במדינת ויניציה שנקראו על שם ערים קטנות שבה.

⁵⁰ היינו, שלחן ערוך בלי הרמ"א. הכוונה ל.שלחן ערוך לפני זקנים עם גערים בכרך קטן למען ישארו בחיקם וכו', בראנאדיון של"ד.

⁵¹ הכוונה לרופא והדיפלומאט היהודי הידוע בתורכיה, שהיה יליד העיר אודיני. על בואו לויניציה עיין בעמק הבכא (מהדורא שניה), עמוד 163 ובחיבורו של המניה, שם, עמוד 170. שם, בהערה, הדפיס גם שד"ל את הקטע שמחברנו העתיק כאן.

⁵² הכוונה ודאי לויניציה (עיין במבוא).

וסיבת מלאכה זו של הלואה ברבית, שבחרו לעצמם בני ישראל על הרוב יותר ממלאכה אחרת, להיותה מלאכה של שלווה והשקט, יושבים על כר נרחב, כמרויחים בלי עמל וטורח, בטוחים מחסרון, ועל זה כולם כמעט בחרו להם מלאכה זו, ולא ידעו ולא יבינו כי היא סמל הקנאה והשנאה, והראיה מן המוחש, כי הנסיון הוכיח, עינינו ראו ולא זר כמה וכמה גזרות וגירושים על זה. כונתי לדעת הגדולים, הרב אבן וירגא, בעל ספר שבט יהודה.⁴⁶

[ה]. גרוש אורניני⁴⁷

שנת ש... נתגרשו היהודים אשר באורניני, עיר גדולה ומטרופולין במדינת פריאולי. והסיבה היתה, כפי מה ששמעתי מפי הזקן הנכבד כמ"ר אהרן נקרא זיליקמאן קונייאן ז"ל הנ"ל, להיות שמכת הרבר היתה בשנה ההיא סביב תחומי העיר ומגרשיה, ובשאר המקומות היו המתים במגפה הרבה מאד, שם פחדו פחד יושבי אורניני, פן יותן רשות למשחית לבא אל בתיהם לנוף, ויעבירו קול במחנה לאמר, לבל יזר איש לקחת שום ממון מנכסי הבעלי בתים אשר סביבותיה להכניסו בעיר, מפני סכנת נפשות, ואשר יקשה את לבו לבלתי שמוע לקול הקריאה, דמו בראשו.

ולהיות טבע רוב בני אדם להוט אחר הממון, בהשתפך נפשם אל חיק הסכנות, ולא יקפידו לצרות רבים, רק למלאת חפצם, בלי השקפת הנזק המגיע לזולת, איש יהודי היה, ששם נפשו בכפו לקנות מטות של נוצה, ויעז פניו להכניסם בעיר אורניני, ושם בסתר ובהחבא, שכל את ידיו, ואש יצאה מביתו במכת הרבר ומשם נתפשטה בעיר ותאכל בקצה המחנה, נוערו עברו יחדיו ראשי העיר לדעת איכה נהיתה הרעה, ודרשו השופטים היטב, והנה אמת נכון כי מבית היהודי החל הנגף, ויבוקש הרבר וימצא, כי ראשונה מת הוא עם כל בני ביתו ולא נותר מהם איש, וממנו מחצה חלפה אחד לאחר.

⁴⁶ הכוונה לויכוח שבין המלך וטומאש (הוצאת וינר, עמוד 11) ולשמד הארבעים ואחד (שם, עמוד 82 והלאה). דעה זו שכל הצרות באות מההתעסקות בריבית מבטא כחמשים שנה לפני כן ר' אברהם יגל גאליקו בספרו, גיא חזיון (אלכסנדריה 1880) דף ד' ע"ב וגם הוא מזכיר אנב כך את הויכוח בין המלך וטומאש שבשבט יהודה.

⁴⁷ Udine, אחת הערים הגדולות במחוז פריאולי. מחברנו לא ידע בדיוק את תאריך המגפה, שגרמה לגירוש היהודים מאורניני, וכתב שזו היתה בשנת ש... כדי לרמז שהיא היתה אחר שנת 1540, והשאיר לו מקום להוסיף את התאריך הפדוייק. מר פידיריקו לוצאטו מודיע לי על יסוד חומר שהועתק על ידו מדפוסים ישנים ומכתבי יד הנוגעים לתולדות העיר אורניני, שהדבר בעיר זו פרץ בשנת 1556, ושלפי כל הסופרים הוא התחיל בכיתו של היהודי יוסף Muggia (עיר באיסטריה). גם הסיפור של מחברנו, שיהודי הכניס לעיר סחורה ננועה בדבר, מתאים לעובדות המסופרות על ידי הסופרים הנוצריים, הטוענים שהדבר נתפשט per via di pegni che li giudei distribuisseno di hora in hora. עיין גם במאמרו האנונימי של פידיריקו לוצאטו בעתון Israel, שנה 17, גיליון 27 מיום 17 מארס 1932. במאמר זה מספר מר לוצאטו שעוד עכשיו מראים באורניני את הבית בו היה גר היהודי יוסף.

ראיה לדבר ממצבה אחת נמצאת עוד היום בנויה בחומת שער אחד משערי עיר אודיני, ועדיין רושם האותיות בלשון הקודש ניכר, זה לשונה: — — —

וכן גם כן כתב כה"ר זרח אביו של ר' חזקיה פרינטי⁴¹ ואמר שבלכת רורו כה"ר יצחק מורפורנו⁴² אל ציורדאל העיר החריבה והשוממה מצא המצבה הזאת הכתובה כאן, זה לשונה: היום יום ר', ב' כסלו רכ"ה לפ"ק, מצאנו הפרט מן המצבה הזאת, שהיה כתוב עליה קנ' לפרט האלף רביעי, וכדי לזכות שמנו זאת המצבה אצלה, פה ק"ק ציבידאט הנקראת ציורדאל.⁴³

ואני העתקתי לשון זה מלשון הקודש לאיטליאנו להפקת רצון החשוב והיקר כמ"ר משה בילגראדו,⁴⁴ אשר נדרש מדוקטור אחד שבעיר אודיני להראות על ספר קדמות יושבי הארץ ההיא, היינו עיר ציורדאל, בהיות שנפלה מריבה וקטטה בין תושבי אודיני ותושבי ציורדאל, מי מהם יקדים אל חבירו בלכתם עם הצלמים בהיותם בשרה לסבב הכפרים כמנהגם, עד שמכח לשון המצבה ההיא, ואחרת שבשער אודיני, הראה שממצבות קברי ציורדאל נבנה חומת שער אודיני, ושלכן ציורדאל קדמה לאודיני.

כבר אמרתי פעמים רבות, שסיבת הגרושים על הרוב היו מרוב הרביות חוץ מהסדר שלקחו היהודים מאנשי הארץ, עד שאכלו עצמות יושבי הארץ⁴⁵ בריוח הרבית המתרבה ובנשך הנושך, ולא הסתפקו במותר להם, ובני ישראל פרו וישרצו וירבו ויעצמו במאד מאד, ותמלא הארץ אותם, והעם קנאו בהם.

41 Parente. שם משפחה זה מופיע תכופות בתולדות יהודי טריאסטי, אולם לא הצלחתי לזהות את זרח ואת חזקיה פארינטי.

42 לא הצלחתי לזהותו. ברשימת בני משפחה זו שנדפסו בספרו של אידנארדו מורפורנו *La famiglia Morpurgo di Gradisca*, פאדובה 1909, יש אחדים ששם יצחק, אולם אין הם מתאימים מבחינת זמנם ליצחק הנזכר כאן.

43 כתובת זו משנת רכ"ה, המאשרת שיהודי ציורדאל מצאו בעירם כתובת עברית משנת קנ' לאלף הרביעי, היינו משנת 604 לפני הספירה, קיימת עוד היום. דעה זו של יהודי ציורדאל מהמאה החמש עשרה מיוסדת ודאי על טעות קריאה. עיין על זה ב-Vessillo Israelitico, 1899, עמודים 252, 327 ו-366. הכתובת משנת רכ"ה הועתקה בשנת 1854 על ידי יצחק שמואל רניינו ושנית בשנת 1884 על ידי הרב מילי מטריאסטי. הכתובת שמוסר מחברנו מתאימה כמעט לגמרי להעתקתו של ישר' עיין גם בביבליוגראפיה לתולדות יהודי מדינת ויניציה לאידנארדו מורפורנו, *Rivista Israelitica*, שנה 7, עמוד 183.

44 גם את האיש הזה לא יכולתי לזהות בבטחון. יתכן שהוא האיש הנזכר בקטלוג של כתבי יד עבריים, בעיקר מעובדו של ר' מרדכי שמואל גירונדי, אשר שטיינשניידר הוציא בברלין בשנת 1872, בתורת מחבר קובץ האגרות, ידי משה' (עמוד 31, מספר 96). ידידי מר פידיריקו לוצאטו, העוסק בחקר תולדות היהודים במדינת פריאולי, מודיע לי, על יסוד חומר שבדיו, כי בשנת 1611 נאשם בעל עסק הלואה בסאן ויטו אל טאליאמנטו, משה בילגראדו, שיהר בעל מלאכה נוצרי בעירו, ויתכן שהוא הוא האיש הנזכר כאן.

45 בקשר לפראזה זו כראי להזכיר ציטאטה מחיבור נוצרי מראשית המאה הט"ו, המובא על ידי צ'יסקאטו במחברתו על תולדות היהודים באיסטי (Este) והאומר על היהודים: "che mangiavano tutto il paese".

לפעמים לא ייטיב האדם עם השפל ממנו, בחושו מה יועיל או מה יזיק לי אדם גרוע כזה, ולא ידע מה ילד יום, כי אין לך אדם שאין לו שעה, קל וחומר היהודי הגולה השבוי, הלובש השק והאורח, יושב במשכנות לא לו, עליו להטיב בני אדם כאלו משום דרכי שלום, ופעמים רבות גם רשע ביום רעה יהיה לעזר ולהועיל, אחר הסיוע האלהי, להראות נס מתוך נס לעושי רצונו, גם אויביו ישלים אתם, אשר יוכלו להצילם ממצוקות הזמן, להיותם קרובים למלכות, ובפרט הכומרים והגלחים, מסירי לב ראשי עם הארץ, להטות לבבם להם ללכת בדרךיהם, וצדקה זו תציל מתמורות הזמן. צא ולמד ממעשה שהיה, ורומה לו בספר שבט יהודא.³⁵

[ד]. גרוש ציורדאל³⁶

סיבת גרוש ציורדאל של פריאול לא שמעתי בברור, רק הוגד הוגד לי, מפי הזקן הנכבד כמ"ר אהרן נקרא זילקמאן קונייאן³⁷ וצ"ל, שהבאישו ריחם בעיני יושבי הארץ כל כך, עד שקמו עליהם פתאום, ונסבו נגדם להוציאם מהעולם, והוכרחו מפני פקוח נפש לשים לדרך פעמם ולברוח ביום שבת קודש, ורובם עלו ברוברות או אסרות, הנקראות צאט,³⁸ שעל נהר פייאבי (בלשון אשכנז בלאט)³⁹, מפני גוים, מפני ליסטים, מפני רוח רעה, ותהי נפשם לפליטה, בעירום ובחוסר כל, עד שבאו אל ויניציה וישבו שם.

מהם יצאה המשפחה הנכבדת בית ציורדאלי, אשר נושא רגל היחס היה המאור הגדול כמהר"ר אבינדר ציורדאל זצוק"ל,⁴⁰ ואנב גררא אניד לך הרשום בכתב אמת, איך ק"ק ציורדאל היה יותר קרמון מכל הקהלות הקדושות שבאיטאליה.

³⁵ הכוונה לשמר שלושים ושמונה. לסיפורים מסוג זה יש להוסיף גם את הסיפור המובא על ידי ה.מניה, עמק הבכא, עמוד 180.

³⁶ Cividale del Friuli, עיר השוכנת בקצה המזרחי של מחוז פריאולי. סיכום לתולדות היהודים בעיר זו ניתן בערך Cividale באינציקלופדיה יודאיקה (כרך 5, עמודה 590). שם גם רשימת המקורות. — מאופן ההרצאה בפרק הזה, רואים שמחברנו לא ידע שום דבר ברור על קצה של קהילה זו, ורק אסף כמה ידיעות עליה. מה שסיפר לו ר' זליקמאן קונייאן אינו מחיטט לגירוש על פי פקודה מאת השלטונות, אלא למחשבות שפרצו נגד היהודים ושבגללן הם נאלצו לברוח מן העיר בעצם יום השבת. ואף שאין אפשרות לקבוע את תאריך המקרה, הרי הפרטים המסופרים מעוררים רושם של מסורת אמת.

³⁷ לא הצלחתי לקבוע זהותו של איש זה ממספחת קונייאן.

³⁸ zatte, סירה קטנות.

³⁹ Piave, נהר זה נקרא בלאט גם אצל המהר"ל. עיין בהוצאה הראשונה, סאבוינטה שי"ו, דף קט"ו ע"א: בצד הנהר שקורין בלאט בין טערזין וקוניגלון. הנהר העובר בין טרזיוסו לקונייאנו הוא הנהר פייאבי.

⁴⁰ אחד מרבני ויניציה בסוף המאה הט"ז. עיין עליו במבוא הגרמני של יהודה אריה בלוי לאגרות ר' יהודה אריה מודינא, חלק שני, עמוד 110 והלאה. ר' אבינדר נפטר ביום י"ח חשון שס"ב. נוסח מצבתו שנחבר בידי ר' יהודה אריה מודינא. גרפס בדיואן מודינא, מהדורת שמעון ברנשטיין, פילאדלפיה תרצ"ב, עמוד 283.

מפילטרו, ביללונגו, וציוידאל וסביבותיהם, היינו ציוידאל די ביללונגו,³⁰ הן היתה שכומר מכומרי פילטרי היה לו לחשיא נערה אחת נכדתו,³¹ וביודעו שהיהודים אשר שם עשירים היו, עומרים על כך נרחב בבתים מלאים כל טוב, להיותה ארץ טובה ורחבה, שאל מאחד מהם איזה עזר וסיוע לגרוניית נכדתו, אולי היהודי הזה היה מראשי הקהל וממלוי ברבית וגדול שבהם, ועם כל זה היה כל כך קמצן וכילי, שלא רצה לתת לכומר כלום, אפילו עד שוה פרוטה.

אז עלה עשן באפו של כומר, וכמעט גמר בדעתו להנקם מהמעשה הרע של פחיתות היהודי, אבל לפי חכמתו כבש את יצרו, ולא רצה להראות ליהודים שעל עסקי ממון בא נגדם. להיותו מוחזק באנשי דתו לאדם גדול, אח טוב³² וישר ביניהם, אשר על כן שמר את הדבר אצלו ליום מועד כי בא יבא, ובחלותו את חליו אשר מת בו, קרא לראשי העם וצוה להם כמה דברים והזהירם לאמר לעם שיוהרו בהם, ובכללם שלא להחזיק במקומם שום יהודי לרור שם, לא דירת קבע ולא דירת עראי, ושלא ליתן להם חנייה בארץ, כי אם לילה אחת אל עובר ושב, דרך חן וחסד, שבשביל כך לעולם לא יבא שם דבר וברר. ולהיותו אצל הנצרים אדם גדול, קיימו וקבלו את דבריו, ותכף ומיד אחרי מותו, כלה גרש גרשו היהודים מארצם,³³ ושימו דבר זה לחוק ביניהם עד היום, נכתב ונחתם בחוקי ודתי המדינה, אשר אין כח ביד שום שר, קצין, שוטר, או מושל, להפר אותם ולבטלם, קל וחומר להיותו דבר מתוקן מקובל מהכומר הגל, אשר מעולם קבלו דבריו בחייו, ואף כי אחרי מותו, שקראוהו מאושר, היינו ביאטו בירנארדין.

הן אמת שבדברי הימים אשר לנצרים, ובספר חיי בירנארדין הגל³⁴ הראני זה ימים אחד מחכמיהם, נמצא כתוב, שהיהודים גורשו מפילטרו בשביל רוב הריביות שהיו לוקחים מיושבי הארץ ההיא, עד שקצו בחייהם וגרשו. לא לחינם אמר החכם, זרוק לחמך על פני המים, כי ברוב הימים תמצאנו.

³⁰ באיטליה יש כמה מקומות הקרויים Cividale. סתם Cividale משמעותה del Friuli, ולה הוקדש על ידי מחברנו הפרק הבא. אולם ציוידאלי בקרבת מקום לבילונגו אינה בנמצא.

³¹ היינו בת אחיו או בת אחותו. שימוש זה בא בהשפעת העובדה שהמלה nipote מציינת באיטלקית גם את הנכד וגם את בן האח או בן האחות. מראי מקומות שונים בקשר לזה רשם יהודה אריה בלוי במבוא הגרמני לאגרות ר' יהודה אריה מדינא, חלק שני, בורפסט 1906, עמוד 169 והלאה.

³² אח = frate, הכינוי המקובל ביחס לגוירים. יתכן שהפראזה. אח טוב' היא על דרך הכתוב תהלים ע"ג, א'.

³³ מחברנו טעה בכתבו שבירנארדינו מת בפילטרי. לאמתו של דבר הוא מת בפאוייה ביום 28.9.1494, וידוע לנו שתיכף אחר מותו נדרו בני פאוייה לגרש את היהודים מעירם ועיין בספרו של Invernizzi על היהודים בפאוייה, עמוד 30 והלאה). אין ספק שמחברנו ידע על הנדר הזה, ובחשבו שהנויר מת בפילטרי עיר מולדתו, הוא קשר את מסיבות הנסיון לגרש את היהודים מפאוייה לגירושם בפילטרי. טעות זו על כל פנים מפליאה, כשאנו רואים להלן שמחברנו קרא ביאוגראפיה של בירנארדינו.

³⁴ לרגל המחסור בספרי שימוש מתאימים בירושלים, לא הצלחתי לקבוע לאיזה ספרים מחברנו מתכוון כאן.

עד שנגלה להם צרה זו. אין ראייה לדבר כי אם רחוב אחת, קראוה רחוב היהודים עד היום.²⁵

השומע ישמע לבלתי לכת אחרי הבוחרים בעצמם, ללכת לדור בעיר אחת אם לא יהיה מרצון שני החלקים הצריכים לתיקון המדינה, הן המה העירוניים הנכבדים, והמון עם ראשי עם הארץ, כי אם דא לדא נקשן, היהודי הוא באמצע המבוכות. השמר פן ואל לעלות נגר רצון שני חלקים אלו. נניח כת הסוחרים ובעלי משא ומתן, דסתמן לא ירצו שיבואו יהודים במקומם ויכנסו בגבולם, בידעם כי רק עם חכם וגבון הם, יפחדו פן יקפחו פרנסתם, ונכשלים יאזרו חיל.

גם יהיה לזכרון דאין מלך בלא עם, ואם ישיבת היהודי במקום אחד יהיה נגר רצון העם לא יאריך ימים על הארמה, כי לפעמים יעברו העם על מצות המלך, ולהיותם יחד באגודה אחת יוכרח המלך להעביר על מרותיו פן ימרדו בו, וכמה פעמים לשכך חרון אף העם, ישים יד על פיו ויעלים עין מהם, שלא להוסיף על חטאתם פשע, קל וחומר אם היהודי הוא הסיבה. וכי יסיתו אחיו לבא לגור בארץ לא לו ביד חזקה, לא יאבה לו ולא ישמע אליו, כי לא בכח יגבר איש.

[ג]. גרוש פילטרי²⁶

אם לכל שנוי סיבה, בקשתי ומצאתי, מה זה היה לתושבי עיר פילטרי אשר בביללונו,²⁷ על ההרים הרמים, המגבילים בין מדינת פריולי, כי לא יוכלו להרשות היהודי שיוכל ללון **שם** בפילטרי כי אם לילה אחת²⁸ בבואו מן הדרך, ודבר זה הוא עקרי אצלם מרתי וחוקי המקום, **לא** להם מצואת קרשם, נקרא אחר כך ביאטו בירנארדינו.²⁹ וסיבת צוואה זו, בהטפל לה גרוש כולל

²⁵ אנו רואים שבאמצע המאה הי"ז, כשמחברנו כתב את ספרו, לא היו כלל יהודים בויצ'ניצה. גם בזמננו היו בויצ'ניצה רק יהודים בודדים.

²⁶ Feltre, במחוז פריאולי. העיר נכבשה על ידי הויניציאנים בשנת 1404. מחברנו מספר לנו על ישוב יהודי פורח בעיר זו, שהתבסס על עסק ההלוואה, ששימש, כידוע, יסוד משפטי לקיום קהילות רבות מאוד באיטליה הצפונית. את חורבן הישוב הזה הוא מקשר בסירובו של אחד היהודים העשירים לתת מתנת כספים לבירנארדינו מפילטרי. הסיבה האמתית לגירוש הוא כנראה, מה שמחברנו מצא במקורות הנוצרים שבהם השתמש (עיין להלן): שנאת עם הארץ ליהודים המלוים בריבית ונסיגו להשתחרר מהם על ידי יסוד 'קרנות החסד' (Monti di pietà), הקשורות בשמו ובפעולתו של בירנארדינו הקדוש. בפרטי הגירוש טעה מחברנו כמו שנראה להלן בהערה ³³.

²⁷ היינו פילטרי הסמוכה ל-Belluno.

²⁸ מחברנו כיתר בני איטליה נוהג לנקב שמות ממין זכר, כשהמלה המקבילה להם בלשון האיטלקית היא ממין נקבה (notte = לילה). עיין במאמרי ברבעון 'איטליה', שנה א' עמוד ²⁶, הערה ¹⁰.

²⁹ Beato Bernardino. בכינוי beato (מאושר) מציינים באיטליה את קדושי הכנסיה. בירנארדינו היה יליד פילטרי ונולד בשנת 1438. בשנת 1456 הצטרף למסדר הפראנציסקאנים ובשנת 1471 התחיל במסע תעמולה נגד היהודים בעלי עסק ההלוואה. תעמולתו גרמה ליהודי איטליה צרות רבות, ועלילת הדם בטרניטו היא הגדולה שבהן.

הארץ,²³ המון העם שבתוכה, נוסף עליהם התגרים והסוחרים, שגם הם בסוד שיח היה ידם במעל, עד שבגלל זה נועדו עברו יחידיו עצה עמוקה כדת מה לעשות, ובבגד בוגדים בגדו שתקו למו ולא אמרו כלום אל היהודים הבאים, ובקרבתם ישימו אורבם, עד בואם אל המלון אשר שמה ינחו, בבתיים בחצריהם ובטירותם.

האומללים האלה בנפשותם באו ויכינו להם בתי דירה וחצר, היינו רחוב מיוחד²⁴ לרור שם, ויהי היום, יהודי אחד מהבאים הלך להסתפר מספר אחד, ובגלחו את זקנו שחטו בתער הספר, ואחר כך נבהלו נחפזו ראשי [שאר ?] עם הארץ, עם הספר, וילכו אל בית היהודי, ויהרגו כל נפשות ביתו מקטן ועד גדול, לא השאירו שריד, וייקחו את ממונו ויזרקוהו בעד החלונות ארצה, לאמר כל הרוצה ליטול יטול, וקרא זה אל זה ואמר בשפה רפה: ילכו אל השררה, שתעמידם ותחזיקם כאן גור רצוננו וחפצנו. לא נודע בברור מה היה למו היהודים אשר נשארו, אך כפי הסברה המה יצאו את העיר, לה הרחיקו, ונתגרשו מעצמם, בראותם צרת אחיהם, וכפי הנשמע לא ארכו שמה ימים, כי לא נמצא להם שם ושארית בארץ ההיא, כגון בית הכנסת וקברות כמנהג, כי עדין לא נשתקעו שם, ולא הספיקה בצקן להחמיץ.

מתוך תעודות הנמצאות בארכיונים במאנטובה, ידוע לנו על יהודים שגרו בשנת 1419 בויצ'נצה (עיין במחקרו של ויטוריו קולוריני *Prestito ebraico e comunità ebraiche nell' Italia centrale e settentrionale*, בולוניה 1935, עמוד 46), ומרשימה בכתב יד אחד (עיין במאמרו של ברלינר, שנה 16, עמוד 183) ידוע לנו על הולדתם של יהודים בויצ'נצה בשנים רל'ו, רמ"ב ורמ"ד. אולם בעיקרו נכון סיפורו של מחברנו, כי בויצ'נצה לא התכונן אף פעם ישוב יהודי בהיקף, שהיה מביא ליצירת קהילה, בנין בתי כנסת וסידור בית קברות. עיין בספר *Cenni storici ed amministrativi delle Comunità israelitiche italiane*, רומא 1914, עמוד 84. ואין ספק שהמסורה שהיתה בידי מחברנו מתחסת לאחד הנסיגות לכונן ישוב יהודי בעיר, שנעשה במאה ה־ט"ו, ואין גם סיבה לחשוד שהפרטים המסופרים על ידו אינם מבוססים על מסורת אמיתית, שהיתה נפוצה בין יהודי ויניציה. לעומת זאת אין אני רואה אפשרות לקבוע בוודאות את התאריך המדויק של המאורע. ידועים לנו שני תאריכים שבהם גורשו היהודים מויצ'נצה: 1465, 1486 (עיין ב-*Rivista Israelitica*, שנה 8, עמוד 117), ור' יוסף ירא גם רשם בשולי כתב היד, שהסיפור שלנו מתחיל לגירוש משנת 1486. אולם, זה, לדעתי, בלתי אפשרי, הואיל והגירוש משנת 1486 קשור בעלילת דם (עיין על זה ב-*Rivista Israelitica*, שנה 8, עמוד 112), ועובדה זו ודאי היתה נשמרת במסורת העממית, ששימשה מקור למחברנו. ועוד: כפי שראינו לעיל, ידוע לנו על ישוב יהודי רצוף בויצ'נצה החל משנת רל'ו (1476), ואין ספק שישב זה נמשך עד הגירוש בשנת 1486. לעומת זה מספר מחברנו בלשון מוחלטת על תקופת התיישבות קצרה ביותר. יש לנו איפוא כאן, לדעתי, סיפור על הגירוש בשנת 1455 או על נסיון ליצירת ישוב יהודי בויצ'נצה, שאין לנו עליו ידיעות משום מקור אחר, ואני נוטה להניח, שזה מתחילת תקופה הראשונה אחר כיבוש העיר בידי ויניציה, היינו החצי הראשון למאה ה־ט"ו.

²³ על חמיכת האצילים ביהודים והתנגדות עם הארץ אליהם יש לנו ידיעות מתקופות שונות. עיין, למשל, בדברי הימים לאפיפיור פאוולו הרביעי, שנתפרסמו בידי ישיעה זנה, תרביץ, שנה ב', שבהם מודגשת עובדה זו כמה פעמים.

²⁴ יש לנו הוכחות מהרבה ערים באיטליה, כי בהן התיישבו היהודים ברחוב אחד ע"י זמן רב לפני תנועת יסוד הגיטאות.

הושמה האבן ההיא ברחובה של עיר, בשוק הגדול קרוב לחצר המשפט, תחת האכסדרה, מכרות ואומרת איך מעלת השררה שמעה בקול בקשת העם יושבי טריויסו, לגרש את היהודים כרצונם. עודנה שם עד היום,¹⁹ לקלון ולחרפה אל עם ה', באמרם מרת מלך היא לגרש אתכם, סורו טמא קראו לנו.

מסע נסעו היהודים המגורשים, ויחנו רובם בויניצ'יה, שי עיר קרובה להם, מהם היתה בית הנריבים והנכבדים בני קלימאני,²⁰ נשיאי עדה קריאי מועד אנשי שם, גם שב גם ישיש בהם, זקן ביתם מיוחס בעמו, כהר קלמן טערויז, אשר על שמו נקראת כל המשפחה בית הקאלימאני.

זכר לדבר מק"ק זה, פקח עיניך וראה בשל"ת מיניץ ופאדובה,²¹ ושם תמצא שאלה אחת סובבת והולכת מעניני הקהלה, ממה ששאלו מהרבנים ז"ל.

סיבת הקנאה והשנאה כבר אמרתי, אבל לא ידעתי בברור אם נטפלה לה סיבה אחרת, רק כפי מה שהגידו לי יראי אלהים אנשי אמת, היה על ענין הרביתות, שהיהודים היו כל כך בעלי רבית עדי שקצו בחייהם יושבי הארץ, נוסף בזה כי גם בני התושבים אשר שם, אף כי לא מבני ישראל המה, נעשה להם כהיתר דבר הרבית ויאכלו מכל פה דלת עם הארץ, ועוסקים הם בעסקים הגוהזים בין היהודים, ולהיות כל אומן שונא בני אומנותו, לבשו קנאה על היהודים כתופסי אומנותם, ומלבם לא הוציאו מלין עד עת בא דברם להוציא מהכח אל הפועל מחשבתם הרעה.

גלוי לכל העמים היות הרבית צרעת ממארת, וסיבה פרטית כמעט בכל הגרושים של אחינו בית ישראל הנפוצים בין העמים, ובפרט באיטאליה, עד כי ברוב הימים תמצאם צרה וצוקה, חס ושלום, על דבר הקצף מהגשך הנושך.

[ב]. גרוש ויצינצה והגזירה²²

מה נאמר מצרת ויצינצה, מה נדבר **ממסחה** ההשתרלות אשר השתרלו היהודים בימים ההם, לפי הנשמע, לבא לגור שם עם קיום ורשיון השררה של ויניצ'יה ברצון הנריבים והנכבדים חושבי עיר ויצינצה, אך גזר רצון דלת עם

¹⁹ עיין Corriere Israelitico, שנה 48, עמוד 170 והלאה, שעוד בשנת 1861 היתה טבלא זו מורכבת בחזית ה-palazzo pretorio (בית הדין).

²⁰ רשימת אנשים שונים ממספחה זו נתפרסמה על ידי יהודה אריה בלוי בכתבי הרב יהודה אריה מדינא, כרך ראשון, בודפסט תרס"ו, עמוד 170, הערה 2. ב-Istoria di Trevigi (עיין לעיל הערה 8) מסופר, שבשעת הפרעות בוו ההמון את בתי כל היהודים, אולם פסח על ביתו של Calimano, שהיה אהוב על בני טריויסו.

²¹ נדפסו לראשונה בויניצ'יה שיג. החשובה לטריויסו (סימן ז') דנה בענין הוצאות הבניה של בית כנסת והחוקת מקוה ובית הכנסת אורחים.

²² Vicenza. העיר צורפה לשטחה של ויניצ'יה בשנת 1404. כאן מסופר על נסיון לכונן ישוב יהודי בעיר, בתקופה שלאחר כיבושה על ידי הויניציאנים. אולם למעשה נעשו נסיונות כאלה עוד בסוף המאה הי"ד. עיין בספרו של ססיל רות על ויניצ'יה, עמוד 19. כמו כן אין נכון הסיפור של מחברנו, שכאילו הישוב היהודי של ויצינצה התקיים רק ימים ספורים.

יכלו למו בטענה מספקת לחייבם גרוש, בקשו מהשררה דרך חן וחסד, שיגורשו היהודים מעיר טריויסו, ושעל כן יתנו במתנה אל השררה הנזכרת כל הבתי רחים הנקראים מוליני¹⁰ אשר על נהר שיל¹¹, מספרם...¹², דבר יפה ורב התועלת במאד מאד, שמקורם לכן היו מהצבור.¹³

ולהיות שבעלי טריויסו נקרא נקראו לפנים מהשררה העם הנאמן, היינו סודיטי פיריליסימי¹⁴, לסבת נאמנותם במלחמות שעברו, לא רצתה השררה לסרב להם מלתת את שאלתם ולעשות את בקשתם, לבר מה שיש לנו להפך בזכותה ולומר כי ראו בעין שכלם היות הרבר לתועלת היהודים, לבל יעמרו ☞ ביר חזקה נגד רצון העם ועל כרחם של יושבי הארץ¹⁵, עד שיוכרחו לקום עליהם פתאום, כאשר עשו לפנים בני ברישה¹⁶ ופריצי אסולה¹⁷, בשום שכל, כי אין אדם דר עם נחש בכפיפה. ותכף ומיד שרתי במדינות, היא שררת ויניציאה, שמעה לקול בקשתם, ויעבירו קול במחנה לגרש כל היהודים שבטריויסו, להפקת רצון העם הנאמן, כי כן דבר המלך ורתו.¹⁸

וכי לא נתרצו בזה העם המרשיע, בפחדם שברוב הימים תשתכח גזירה זו, וישבו היהודים עוד לגור בארץ כבראשונה, בקשו מהשררה שיחון אותם לחקוק בעט ברזל אופן הגזירה, ומה שהוחן להם על היהודים לגרשם, ולעד בצור חוצבו דברים אלו באותיות מחהבות, להיות עדות נאמנה, כי להם לברם נתנה הארץ ולא אל היהודים.

10 mulini = בתי ריחים.

11 Sile, נהר העובר את מדינת ויניציאה לשעבר.

12 כאן השאיר המחבר מקום ריק בכתיב היר. נראה שבשעת כתיבתו לא יכול היה לברר בדיוק את מספר בתי הריחים וחשב למלאות את החסר לאחר זמן.

13 הכוונה שהיו שייכים למועצת העיר.

14 Sudditi fedelissimi. דבר נאמנותו של המון העם בטריויסו לריפובליקה הויניציאנית, בניגוד לאצילים שבגדו בריפובליקה בשעת מלחמת קאמבריי, מאושר על ידי המקורות. אחד המקורות (עיין אצל Marco Osimo, Narrazione sulla strage compita nel 1547 contro gli Ebrei di Asolo, קסאלי 1875, עמוד 26, הערה b) מקשר גם בפירוש את התקוממות ההמון לטובת הריפובליקה עם פרעותיהם ביהודים. על פרעות ביהודי טריויסו בשנת 1492 והענשת מנהיגי ההתקוממות על ידי השררה, עי' ג. וולף ב, המזכיר¹⁸ 63, עמוד 67.

15 גם ר' שמחה לוצאטו מספר ב, מאמר על מצב היהודים' (עיין (ז'), שנתחבר זמן קצר לפני חיבור זה, כי השררה של ויניציאה אוסרת על היהודים לשבת בכמה ערים של מדינתה על ה-terra ferma (כנון ברישה, בירנאמו, קריסה) בגלל התנגדותם של הנוצרים.

16 Brescia. את המלחמה התמידית של הנוצרים נגד היהודים בעיר זו מתאר F. Glissentti בספרו Gli Ebrei nel Bresciano, ברישה 1891. פרעות ביהודים פרצו בשנת 1509, ערב כיבוש העיר על ידי הצרפתים. עיין שם, עמוד 33, ועיין בסיפורו של ר' אליה קפשאל, REJ, ע' 77, 45.

17 עיין בעמק הבכא, הוצאה שניה, קראקא 1895, עמוד 122 והלאה ובספרו הנ"ל של אוסימו. קצה של קהילת היהודים באסולו היה מר ביותר. בשנת 1547 התנפלה קבוצת פורעים על יהודי הקהילה, שמתה כמה עשרות נפשות, רצחו חלק מהם ופצעו את השאר.

18 פקודת הגירוש ניתנה על ידי הדוני' לוריצו לורידאן ביום 22 ביוני 1509. נוסחתה נדפסה אצל אוסימו, שם, עמוד 106.

לבי ועיני היו לחבר חבור, כולל מלחמות שאירעו בזמנינו אחרי מות הכהן ר' יוסף⁵ בעל דברי הימים, ואחריו בעל צמח רוד נרפס בפראגה שנת ש"ק⁶. בחרש חרושים מוצאים מפי סופרים אשר לא מאומתנו, וכן גם כן דברים שבעל פה, ואשר ראו עינינו, אבל נסוג אחור דרכי, כי להיות אומנות אמנות עטי, חוסן רב ומבוכה רבה, הן להתחיל מימות עולם אשר מאד מאד צריך ליוחר בהם, הן כי רוב דברים הנאמרים לעת כזאת לא הגיעו אל האמת והצדק, ויכלה הזמן לבקש ספרים הרבה אין קץ, מהחבורים החדשים אשר במדינה ומדינה ככתבה ועם ועם כלשונו, ומי יודע האמת אחם, ויוסיף דעת יוסיף מכאוב, אף כי המלאכה רבה, לכן ניהמתי לא עשיתי. תהי זאת נחמתי בעיני, בספר סופר סיפור תועלת, לזכות הרבים מיסוד על האמת.

ביא"ע⁷

[א]. גרוש טריויסו⁸

מה שאירע לאבות סימן לבנים, הקנאה והשנאה שקנאו פלשתים באבינו יצחק היא שעמדה לאבותינו ולנו בעונותינו, שהאומות עמדו נגדנו בכל דור ודור, וקנאתם גם שנאתם כבר היתה, בראותם היהודי מצליח בנכסיו, פחדו פחד פן ירבה ופן יפרוץ, לרשת משכנות מבטחים ומנוחות שאננות, ומיד נתנו עליו בקולם, על כן שנאום, נוסף על שנאת הדת, שנאה אחר שנאה.

הן עתה הראנו הגסיון בק"ק טריויסו, במחוז עיר הגדולה ויניציה, העם היושב בה נושא עון, לבשו קנאה על עם הקודש גאולי ה' אשר שמה, כי עשירים ונכבדים ומוצלחים בנכסיהם היו, שם ישבו בשלוה והשקט, חן וכבוד, ימים ושנים, עד שקנאים פגעו בהם ודברו עליהם תועה לפני מעלת השררה⁹ כדי לגרשם, וכי לא

5 שנת מותו של ר' יוסף הכהן אינה ידועה. ידוע רק, שבשנת 1577 הוא עוד היה בין החיים.

6 לאמיתו של דבר הופיע צמח דוד לראשונה בפראג בשנת ש"ב.

7 בשם ה' אל עולם (?)

8 Treviso, עיר עתיקה בעלת עבר היסטורי גדול. נכבשה על ידי ויניציה בשנת 1404. — המחבר סתם ולא רשם את תאריך הגירוש. היהודים גורשו מטריויסו כמה פעמים, לאחרונה בשנת 1590 (עיין בספרו של ססיל רות, Venice, פילאדילפיה 1930, עמוד 268). ר' יוסף ירא רשם בכתב היד הערה שהסיפור מתיחס לגירוש שהיה בשנת 1475. אולם אין זה מתקבל על הדעת, הואיל והמחבר מספר על מגורשי טריויסו. ויחזו רובם בוויניציה, דבר שאינו בא בחשבון לפני 1509, כשהיהודים הורשו רשמית להתישב בעיר הבירה. לעומת זאת מסתבר שהסיפור מתיחס לגירוש משנת 1509, שבא כתוצאה מההומות אשר נתעוררו בגלל מלחמת הליגה מקאמבריי. וראיה לדבר: G. Bonifacio בספרו Istoria di Trevigi, ויניציה 1744, עמוד 495 מספר בקשר לפקודת הגירוש משנת 1509: Il decreto veniva scolpito in marmo sulla piazza Maggiore della citta' (אני מצטט לפי הקטע המובא במאמרו של אידונארדו מורפורנו על יהודי טריויסו שנרפס ב-Corriere Israelitico, שנה 48, עמוד 170 והלאה), דבר המתאים לגמרי לסיפורו של מחברנו. עיין להלן ועיין גם בהערות הבאות.

9 אפשר שמכוון להאשמה שהוטלה בימי מלחמת קאמריי על היהודים כמעט בכל ערי מדינת ויניציה שעל היבשת האיטלקית, כי הם נוטים לצד הגרמנים העולים על הארץ.

סיפור הצרות שעברו באיטליה לא תפ"צ כי"ר

צרות רבים חצי נאמה [נהמה?], בלב כל בעל דת מדיני בטבע, כואב ומצטער בזכה ומתאבל בצרת חברו, הראונו בנסיון אנשי הרחוקות בכל הזמנים. ורעי איוב הוכיחו הוכחה גמורה, וראיה ברורה, אשר על זה מקל וחומר צונו רבותינו, להתאבל בחורבנה של ירושלים, וגלות עם הקדוש, אבותינו ואבות אבותינו, מהם היתה שומה, משנכנס אב ממעטין בשמחה, ובעצמו של יום לקרות בספר איוב ובדברים הרעים שבירמיה, לעורר הלבבות אל הדאגה והיוגן והבכי, לספור לצרה ולבכותה: בלב נשבר ונדכה.

ויהי מנהגם של ישראל תורה, זה אומר בכה וזה אומר בכה, איש אל עבר פניו ילכו, יסבו אל ספר קינות, ומלבם יוציאו מלין באבלות ישנה היא, ילכו למו אל ספר איוב, ולא יבחינו בין דברי רעיו לדברי עצמו, מדברי נשדברי? רעיו במקומם יונחו, ודברי עצמו על פה בבכי יבאו, גם ביד יקחו ספר ירמיהו, ולא יבררו דברים הרעים שבו, כי גם בנחמות יקראו, וכמות זה כמו [נמות?] זה בניב שפה ימתיקו, יבחרו למו ספר יוסיפון, ספר הקבלה להראב"ד והנמשך,¹ שבט יהודה, דברי הימים מרבי יוסף הכהן, שלשלת הקבלה לאבן יחיאל, ואחריהם כל אדם ימשוך קריאתו, מבלי יבחין המותר שבו מהאסור לאותו היום. כי בספר היוסיפון חוברו למו דברי רומיים, וספר הקבלה דברי מלכי ישראל, ושבט יהודה כמה וכוחים וספורים, ודברי הימים ספור המלחמות אשר אירעו קרוב לזמנינו, ובשלשלת הקבלה הוסדו דבריו מששת ימי בראשית עד זה ימים, הן הנה סיבות כוללות אל עין הקורא במ לבבל השנחת עינו באותו פרק ובאותו מקום אל אשר לא נרצה ממנו באותו יום, ובכן מצוה בעבירה הוייא.

זה חזיתי ואספרה, כבעל נסיון אמרתי אני בלבי, על דברת בני האדם באלו לברר הדברים כתקונם, מיוחדים מזמנים אל הזמן עצמו, כדבר בעתו, ואלקטה בשבולים, מפי סופרים ומפי ספרים, אחד הנה ואחר הנה. מה טוב אם כן כוונתי זאת לתועלת הרבים, בלחם צר ומים לחץ, וזכרון לבני ישראל ללחצי הזמן, צרות רעות ורבות אשר סבבונו כתרנו רדפנו, תהלה לאל אשר הצילנו.

ולתוספת טובה כתבתי תוכחת מגולה, באהבה מסודרת, [מסותרת?], אחר רוב הגמרות, בהראות הסיבות הרבות אשר הרעו לנו ולאבותינו, כי בסורם יבטל [יבוטל?] המסובב.

1 לא תקום פעמים צרה, כן יהי רצון.

2 על פי הפתנס צרות רבים חצי נחמה.

3 על דרך הכתוב בבראשית כ"ג, ב': לספר לשרה ולבכתה. – דבר קיום המנהג באיטליה לקרוא בתשעה באב בכתבים המספרים על הצרות והמרות, יוצא מדבריו של ר' יוסף הכהן בפתיחה לעמק הבכא. עיין גם REJ, כרך 4, עמוד 96, במאמרו של דוד קויפמאן, שבבית הכנסת של הספרדים בפיסארו נהגו לקרוא בשהרית של תשעה באב קינה על שרופי אנקונה.

4 הכוונה ל,דברי מלכי ישראל בבית שני' שנרפסו חמיר כנספח לספר הקבלה להראב"ד. עיין על חיבור זה אצל שטיינשניידר *Geschichtslitteratur der Juden*, § 30.

הגדולה של יהודי אשכנז לחצי האי במשך תקופת המאות הארבע־עשרה והחמש־עשרה. אולם, בה בשעה שבתקופת הרניסאנס אין יהודי איטליה בדרך כלל רואים דבר רע בעסקם זה ורבים עליו בספרותם מתוך שוויון־נפש.¹⁰ נוצרת התנגדות רבה לעסק הזה עם סיום תקופת הרניסאנס¹¹ וההתנגדות הולכת וגדולה. הבנקים היהודיים בערים השונות חדלו למלאות את התפקיד הסוציאלי החשוב שמילאו מקודם, וגם ההתחדשות בחייהם הדתיים של היהודים באיטליה באותו הזמן מעוררת יחס שלילי לעסק הריבית. על רקע זה אפשר להבין את דבריו החריפים של מחברנו נגד עסק הריבית, בפרט בכתבו על מאורעות שקרו בסוף המאה החמש־עשרה, כניסו הנזירים הפראנציסקאנים להסתער על הבנקים היהודיים באיטליה.

עם כל ההשפעה שמחברנו קבל מבעל „שבט יהודה“, הוא שונה ממנו באופן בולט מבחינה היסטוריוגרפית. בשבט יהודה הנטיה הבלטריסטית טובעת את חותמה על הספר. אצל מחברנו שלטת נטיה היסטוריוגרפית־דירקטית ברורה. בהקדמתו הוא מראה שברור לו יפה התפקיד של ההיסטוריון הן בבחירת המקורות והן בגישה בקורתית אליהם, ובעצם החיבור הוא שם לב, בנבולות יכולתו, לדיוק היסטורי. לעתים הוא מחפש במקורות נוצריים ידיעות על יחס הנוצרים ליהודים. כשאזיה פרט קטן אינו ברור לו, הוא משאיר מקום ריק כדי למלאות את החסר אחר כך (החיבור הניע לידנו בצורה בלתי מוגמרת!). כמעט תמיד הוא מודיענו מאזיה מקור שאב, בין בכתב ובין בעל פה. הצד החלש של מחברנו הם התאריכים, אשר הוא מזניחם תכופות. בכל זאת תועלת רבה הביא לנו במסירת פרטים על מאורעות, שבספרות העברית לא נשארו לנו מהם על פי רוב שום עקבות, אולם אמתותם מתאשרת ברובה ממקורות בלתי־יהודיים.

בסוף עור עלי למלאות חובה נעימה ולהודות לידידי ד"ר יוסף שטרן על שהעמיד לרשותי את כתב היד והרשה לי לפרסמו, ולדידי מר פריקו לוצאטו, העוסק זה כמה שנים במחקר על תולדות היהודים במחוז פריאולי, בגלל ידיעות חשובות שהודיעני מהספרות ההיסטורית האיטלקית הלוקאלית, שבארץ־ישראל, מקום שעברתי על כתביהיד הזה, אין כל גישה אליהם. שניהם יעמדו על הברכה.

¹⁰ כגון ר' אברהם פאריצול בפרק ע"ג מספרו. מנחם אברהם' נדפס בהצופה לחכמת ישראל, שנה 12, עמוד 290) או ר' יחיאל נסים מפיסא בספרו „חיי עולם“, בקטע שנדפס על ידי מ. ד. קאסוטו בספרו על קהילת פירנצי. אמנם, יש גם יוצאים מן הכלל, כגון ר' שמואל ארקיוולטי, במעין גנים, דף כ"ב ע"א.

¹¹ עיין בספרו של ר' אברהם ינל גאליקו „גיא חיוני“ דף ד' ע"ב; במאמר על מצב היהודים לר' שמחה לוצאטו, עיון י"ב, י"ז, ובתשובתו שנדפסה ב„נחלת יעקב“ לר' יעקב היילפרון, פאדובה שפ"ג, דף מ"א ע"ב.

מתי כתב מחברנו את הכרוניקה לא ידוע לנו. המאורע המאוחר ביותר המסופר בחיבורו הוא מומן קצר אחר שנת 1636. אולם הרבר בטוח שכתב את חיבורו בין 1648 ל-1663. ר' שמחה לוצאטו נזכר כראש הישיבה הכללית בוויניציה, משרה שאליה הגיע בשנת 1648, אחר פטירתו של ר' יהודה אריה מורנא. כמו כן הוא מדבר עליו כעל איש שעורנו בחיים, ור' שמחה נפטר בשנת 1663. אני מניח, שהחיבור נכתב בערך בשנת 1660 ושהמחבר היה אז אדם די צעיר, כי אנו רואים שמאורע אשר קרה בוויניציה סמוך לשנת 1636, ידיעתו עליו מעורפלת. המחבר השתייך לחוג אנשים אשר נשארו עד כה סמויים מעיני ההיסטוריונים. הוא מזכיר כמה וכמה אנשים, שהיו, כנראה, בעלי השכלה ועמדה ציבורית, ובכל זאת לא עלה בדי לזהות אותם.

הסיבה שהניעה את מחברנו לכתוב את הכרוניקה, סיפור הצרות שעברו באיטליה נעוצה במנהג איטליה לקרוא בתשעה באב בספרים המספרים צרות ישראל. ר' יוסף הכהן כותב בשיר הפתיחה ל„עמק הבכא“: „לכן יום נשרף מקדשי יקראנו כל איש עברי...“, ושד"ל מבקש מלטרים בשעת הרפסת עמק הבכא שימחר לשלוח לו מספר טפסים, כדי שיספיק לתת אותם לאחרים מירידיו לקרוא בהם בתשעה באב,⁸ ובהתחשב במנהג זה חיבר מחברנו את הכרוניקה שלו הכוללת סיפורים על הצרות שקרו ליהודים באיטליה, ארץ מגוריו.

המחבר היה ללא ספק אדם שמצא ענין במחקר היסטורי. הוא מזכיר את הספרות ההיסטורית העברית שנתחברה לפניו, לרבות ספרים שבימיו טרם הופיעו ברפוס (עמק הבכא). הוא גם חשב לחבר חיבור היסטורי גדול שימש המשך לרברי הימים של ר' יוסף הכהן ולצמח דוד. אבל הוא ראה שחסרים לו הכלים הדרושים לחיבור כרוניקה מקפת, ולכן „נסוג אחור דרכו“ והסתפק בחיבור שלפניו (שגם הוא, כפי שראינו, לא בא לסיומו), כדי להביא בו תועלת. ומדי התועלת שמחברנו רוצה להביא? הוא היה מושפע מאוד מהספר „שבט יהודה“⁹ וכמו שר' שלמה נ' וירנה בקש לדעת את סוד גורלו של עם ישראל, כך ניסה מחברנו לברר את סיבת כשלונם של היהודים בשטח המוגבל של איטליה. אין הוא מתעלם מהסיבות האובייקטיביות הגורמות לשנאת ישראל, כגון פחד העירוניים מפני התחרותם של הסוחרים היהודים, ורואה בזה תופעה חברתית טבעית שאין מנוס ממנה. אולם, במקום שהוא רואה משנה בצעדי היהודים, הוא אומר זאת בפה מלא, ומוהיר ומיעץ שייטיבו את דרכם. מבחינה זו הוא עולה בהרבה על ר' יוסף הכהן, היודע רק לצפות לנקמת אלהים בשונאיו של ישראל. את עיקר צרתם של יהודי איטליה רואה מחברנו בהתעסקות בהלוואה בריבית. הריבית נעשתה, כידוע, עסקם העיקרי של יהודי איטליה החל מאמצע המאה השלוש-עשרה, והוא גם שאיפשר את ההגירה

⁸ אנרות שד"ל, ע' 1104.

⁹ התחלת הפרק על גירוש צ'יודאל מזכירה את התחלת השמד השני בשבט יהודה; סוף גירוש אורניי הועתק כאילו מהתחלת השמד הל'ג; התחלת „גירוש ויצ'ניצה“ דומה לנמרי להתחלת השמד הנ"ט. מחברנו מזכיר גם בכמה מקומות, שהדברים המסופרים על ידו או הרעיונות המובעים על ידו אובייקטיביים דומים למובא בשבט יהודה.

ברבעון, איטליה.³ השניה מכילה פרטים חשובים ביותר לחולדות עלילת הדם בטרניטו, ומסרתיה לפרסום בספר היובל העומד להופיע לכבוד הרב ר' יהודה ליב זלוטניק. השלישית כוללת את התחלת "חזון הקדושים" ("שבי אלמנה בית אביך" וכו') על הטרגדיה של האנוסים באנקונה, אשר נתפרסם על ידי דוד קויפמאן, ושנית על ידי שמעון ברנפלד.⁵ נוסף לכל אלה העתיק מחברנו שלשה קטעים מעמק הבכא וקטע מהכרוניקה של ה"מגיד" וכמה קטעים משלשלת הקבלה. קטעי עמק הבכא המובאים על ידי מחברנו שונים בנוסחאותיהם בכמה וכמה מקומות מהנוסח המודפס. וכן יש בהם הוספות של מחברנו.⁶ הקטעים משלשלת הקבלה מתאימים לרפוס הראשון.

ביחס לרפים החסרים מתברר מתוכן הענינים שנרשם על פתקא על ידי ר"ר שטרן ז"ל, כי רשימות היו ברפים ³⁷, ³⁹, ⁴⁰ ובהן סיפורים המתייחסים למאנטובה, ויניציה, קארפי וטרייסו.

שמו של מחבר הכרוניקה שלנו אינו ידוע. אולם אין ספק שהיה יהודי אשכנזי, שישב בוויניציה העיר או באחת מערי מדינתה. דבר זה מתברר מעצמו אגב קריאה בחיבורו. כמו כן אין ספק, שההקדמה וגוף הסיפור נתחברו בידי איש אחר, אף שההקדמה נכתבה בקורסיב איטלקי והסיפור בקורסיב אשכנזי. ישנם שימושי לשון משותפים להקדמה ולחיבור עצמו. וגם מבחינת תוכנו מתאים גוף החיבור לגמרי לתכנית שבהקדמה.

כתב היד שלנו בשלמותו איננו אבטוגראף של המחבר, שהרי המבוא נכתב בקורסיב איטלקי וגוף הכרוניקה בקורסיב אשכנזי. המתבונן בשני כתב-היד גם יראה שקשה לקבל כי גם החלק הכתוב בקורסיב איטלקי וגם החלק הכתוב בקורסיב אשכנזי נכתבו ביד אחת. אני נוטה להניח שהמבוא נכתב בכתב ידו של המחבר וגוף הספר על ידי מי שהוא אחר שהעתיק למענו את רשימותיו. צורת הכתב של המבוא מראה שהוא נכתב במהירות, ככתב היוצא מעטו של אדם המחבר אותה שעה את הטכסט הנכתב על ידו, ואילו גוף הסיפור נכתב בכתיבה יפה מאוד ובשורות ישרות, ככתב הנכתב על ידי מעתיק, שהטכסט עבדו מוכן כבר והוא יכול לראונו ליופי הכתב. אני יכול לכן רק לשער, שמחברנו, ברצותו לעשות את הכרוניקה שלו ספר שימוש לקריאה בט' באב, לכל יהודי איטליה, התחיל לכתוב את ספרו בקורסיב איטלקי,⁷ אולם משבא אחרי כך להשתמש בעזרתו של מעתיק, העתיק לו הלה את רשימותיו בקורסיב אשכנזי, אולי מחוסר ידיעת הקורסיב האיטלקי.

³ שנה א', עמוד 25 והלאה.

⁴ REJ, כרך 31, ע' 227 והלאה.

⁵ ספר הדמעות, כרך שני, ע' שמ"ג והלאה. לפי מה שיכולתי לראות שונה נוסח החזון בכתב היד שלנו מנוסח קופמאן. עיין גם בדברי י. זנה, תרביץ שנה ב', ע' 502.

⁶ למשל: בקטע הנקרא אצלו, נורת הנחל במאנטובה (ובהמשך של "המגיד", ע' 104, במהדורה השניה של עמק הבכא, קראקא 1895) הוא מוסיף בסוף: "וכפי ששמעתי המומתים היו שבעה נפשות".

⁷ על דבר דומה עיין קרית ספר, שנה ג', עמוד 237.

סיפור הצרות שעברו באיטליה

יוצא לאור על-ידי

משה אביגדור שולואס

מבוא

הכרוניקה „סיפור הצרות שעברו באיטליה“ מתפרסמת כאן מתוך כתב יד שהובא לפני שנים רבות מאיטליה לגרמניה על-ידי דר' משה (מוריץ) שטרן ז"ל שקבלו מידי הרב מפירארה, ר' יוסף ירא ז"ל, ונתגלגל כעת לידי.

כתב היד, כתוב בקורסיב איטלקי (מבוא) ובקורסיב אשכנזי יפה (נוף הסיפור), מכיל שתי מחברות, כל אחת בעלת י"ח דפים, גודל 14:19 סנטימ', מלבד חמשה דפים מפורדים בסוף. מארבעים ואחד הדפים רק חמשה עשר הם כתובים, ואילו כ"ו הנשארים הם לרוב חלקים ואחרים מכילים מלים ספורות, שעליהן ידובר להלן.² על גב הכריכה כתוב „סיפור הצרות שעברו באיטליה“. סימני הרף כתובים בעפרון בכת"י מודרני; המוסיף את המספרים לא רק והחליף את המחברות, בשניה החל ובראשונה גמר. כהה"ז הגיע לידי בלתי שלם; מרשימת תוכן הענינים שסידר שטרן יוצא שבירו היו עוד חמשה דפים כתובים נוספים.

החוברת כוללת מבוא, שבו מדבר המחבר על תכניותיו ותשעה סיפורים מפורטים על גירושם וצרות שונים. חמשה סיפורים מתייחסים לקהילות שונות במדינת ויניציה וארבעה לויניציה עצמה. מלבד אלה רשם מחברנו בראש אחד הדפים „גרוש מעמד דוכס אורבינו“ וברף אחר „גרוש קרימונה“, סימן שהיה ברעתו לתאר לכל הפחות עוד שני גירושם אלה. כמו כן נמצאים בכתב-היד שלש אגרות, כתובות בידים שונות, לא של כותבי כתב היד שלפנינו. הראשונה מתייחסת לגורלם של המתישבים היהודים הראשונים במבצר פאלמאנובה (Palmanova), ופרסמתי

1 שטרן ז"ל עמד לפרסם את הכרוניקה בצרוף מבוא והערות, אולם מסיבה בלתי-ידועה לי לא יצאה תכניתו אל הפועל. בשנת 1933 זכיתי לראות את כהה"ז בידי היד שטרן, ואז הוסכם בינינו שאני אפרסם את הכרוניקה. לאחר פטירתו של שטרן העביר בנו, דר' יוסף שטרן, את כהה"ז יחד עם ארכיונו של אביו, לארץ-ישראל, והוא גם הואיל בטובו לפסור לידי את הכרוניקה על מנת לפרסמה. נשתי חיכך לעריכתה, וצרפתי אליה מבוא והערות, כדי לבצע את התכנית שהריתי לפני ט"ו שנים.

2 ברף 43 ע"ב ניכרים סימני אותיות המראים כי העמוד הזה היה דבק לכתב-יד אחר. אחרי בדיקה מדויקת נתברר לי שפה היה מונח כהה"ז של „מגילת נס“ שנחפרסה ע"י שטרן בספר היוכל לר' דוד הופמאן ז"ל בחלק העברי, עמודים 267-280. עיין גם בחלק הגרמני, ע' 460 וכו'.

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